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DATE 12-10-86
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441#
86-307-A
V-402-78

THE OWL CORPORATION, et al.
Beginning at NW/Corner of Flood Rd. & Rettman Lane
12th Election District
86-307-A
John Hennegan, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
2.1476 ACRE PARCEL
NORTHWEST CORNER FLOOD ROAD AND RETTMAN LANE
BALTIMORE, MARYLAND
EXISTING ZONING "M L I M"
PROPOSED - "YARD VARIANCES"

BEGINNING at the northwest corner of Flood Road and Rettman Lane, running thence binding on the northerly side of said Flood Road (1) North 59 degrees 34 minutes 10 seconds West 420.00 feet, thence binding on the easterly side of Graves Court, if extended, (2) North 30 degrees 25 minutes 50 seconds East 221.29 feet, thence three courses (3) South 59 degrees 34 minutes 10 seconds East 256.32 feet, (4) North 30 degrees 25 minutes 50 seconds East 3.71 feet and (5) South 59 degrees 34 minutes 10 seconds East 163.68 feet to the westerly side of said Rettman Lane, thence binding thereon (6) South 30 degrees 25 minutes 50 seconds West 225.00 feet to the place of beginning.

CONTAINING 2.1476 acres of land.
RWB/lc KCI Job Order No. 01-82137-D October 16, 1985
Work Order No. 9246



**BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3053**

ARNOLD JADLOW
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 11, 1986

John O. Hennegan, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

RE: PETITION FOR VARIANCE
Beginning at the NW/Corner
of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation, et al,
Petitioners
Case No. 86-307-A

Dear Mr. Hennegan:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 233.1, 238.1 and 238.2 (102.2) To permit a front setback of 10 ft. instead of the required 25 ft., and a distance between buildings of 20 ft. instead of the maximum required 60 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty in that the existing business is expanding with new accounts. The business can only expand within the outlines of the property it now owns. Additional storage is required and must be located adjacent to the existing paper baling equipment to facilitate the flow of the product through the plant. Without the yard variance the proposed building would only have a storage capacity of 5,100 square feet and would greatly limit the expansion of the business to perform a needed service to the business community of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature: *John O. Hennegan*
Address: *809 Eastern Blvd*
City and State: *MD 21221*
Attorney's Telephone No.: *686-8274*
Legal Owner(s): _____
(Type or Print Name)
Signature: *Francis Thomas Leyden*
Address: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Francis Thomas Leyden
1936 Rettman Ln., Dundalk, MD 21222
Address Phone No. 282-0066

ORDERED By the Zoning Commissioner of Baltimore County, this 13th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 18th day of February, 1986, at 10:30 o'clock.

Arnold Jadlow
Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR VARIANCE
Beginning at the NW/Corner
of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation,
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-307-A

The Petitioner herein requests variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet.

Testimony on behalf of the Petitioner indicated that the Petitioner, who has owned the site since 1978, operates a company which receives scrap paper to be baled and shipped to paper mills for recycling. He proposes to construct a 12-foot high building for the storage of loose and baled paper currently being stored in the open at the same location and causing an unsightly situation when blown through the property and neighborhood. The building will be located with the same front yard setback as an existing two-story building. The site provides no other feasible location for the storage building. With the exception of a few square feet, the site is entirely covered with impervious surfaces. Therefore, the proposed building will not increase runoff from the site. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

PETITION FOR ZONING VARIANCES

12th Election District

LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane

DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 60 feet.

Being the property of The Owl Corporation, et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JADLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of April, 1986, that the herein Petition for Variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet, in accordance with the plan prepared by Kidde Consultants, Inc., revised March 10, 1986, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All gates shall open into the site.
2. When any portion of the security fence is replaced, the new fence or live screening must comply with current BCZR. Slat replacements shall be wood.
3. The Petitioner shall provide landscaping as set out on the site plan dated March 10, 1986 within twelve (12) months. In the event that the Petitioner or any subsequent subject purchasers of the Petitioner's property are required to remove the landscaping shown in the right-of-way located on Rettman Lane on said site plan for any reason whatsoever, it shall be the Petitioner's or subsequent purchaser's responsibility to relocate landscaping and/or screening within the property lines of the Petitioner on Rettman Lane within the site outlines as shown on the site plan. White pines may replace the red maples.

Jan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

RE: PETITION FOR VARIANCES
Beginning NW/Corner Flood
Rd. & Rettman Lane,
12th District
THE OWL CORPORATION, et al.,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-307-A

ENTRY OF APPEARANCE

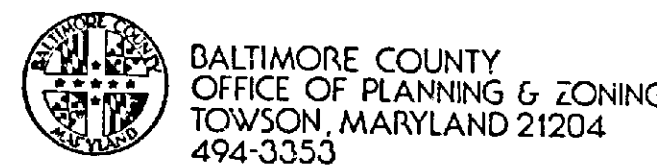
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Francis Thomas Leyden, Owner, The Owl Corporation, 1936 Rettman Lane, Dundalk, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

Mr. Francis T. Leyden
c/o The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
The Owl Corporation, et al - Petitioners
12th Election District
Case No. 86-307-A

Dear Mr. Leyden:

This is to advise you that \$59.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018480

DATE: 2/11/86 ACCOUNT: R-01-615-000

RECEIVED FROM: Owl Corporation

AMOUNT: \$59.75

FOR: Advertising & Posting - Case No. 86-307-A

B 8045*****5555a 3114F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73241 - Reg. # 184170 - 75 lines @ \$30.00. was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 31st day of January 1986; that is to say, the same was inserted in the issue of January 30, 1986

Kimbel Publication, Inc.
per Publisher.

By *R.C. Decker*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District: 12th Date of Posting: 1/28/86
Posted for: Variance
Petitioner: The Owl Corporation, et al
Location of property: NW/Cor. Flood Rd. & Rettman Lane
Location of Sign: Beg. @ NW/Cor. Flood Rd. & Rettman Lane, S. Flood Rd. W. on E. side
Remarks: Attached to this bill are forms, return to property
Posted by: [Signature] Date of return: 1/28/86
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 30, 1986

THE JEFFERSONIAN,

JB Kentz

Publisher

Cost of Advertising

86-307A 24.75

PETITION FOR ZONING VARIANCES
12th Election District
LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane
DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 40 feet, being the property of The Owl Corporation, et al, as shown on plan filed with the Zoning Office.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, upon the submission of said permit, issue a decision on the Petition. Such request must be received in writing by the date of the hearing or shown at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Jan. 30

LETTER NUMBER 86-307-A
DATE: 2/11/86
ACCOUNT: R-01-615-000
RECEIVED FROM: Owl Corporation
AMOUNT: \$59.75
FOR: Advertising & Posting - Case No. 86-307-A
B 8045*****5555a 3114F

Mr. & Mrs. Jules Faber
1342 S.E. 28th Terrace
Cape Coral, Fla. 33904
Dear Mr. Faber:
This is to confirm our conversation concerning our previous attempt to market your home at 1911 Mills Rd. from Dec. 11, 1985 to 1/25, 1986. Our Marketing efforts included, multiple listing, open house, office tour, classified advertising, posting of "a" for sale sign and the agent's personal promotion of the property.
We felt that your property was in extraordinary condition and should have attracted numerous potential buyers. Unfortunately, the property remained unsold during the listing period. The feedback we received from potential clients proved to be negative mainly because of the trucks and industrial equipment parked in the neighborhood.
My best wishes in your continuing attempt to sell the home. If we can be of further service, please don't hesitate to call us.

Chris Cella, Inc.
1342 S.E. 28th Terrace
Cape Coral, Fla. 33904
RE: 1911 MILLS RD.
Baiton, No. 21222
Dear Mr. Faber:
This is to confirm our conversation concerning our previous attempt to market your home at 1911 Mills Rd. from Dec. 11, 1985 to 1/25, 1986. Our Marketing efforts included, multiple listing, open house, office tour, classified advertising, posting of "a" for sale sign and the agent's personal promotion of the property.
We felt that your property was in extraordinary condition and should have attracted numerous potential buyers. Unfortunately, the property remained unsold during the listing period. The feedback we received from potential clients proved to be negative mainly because of the trucks and industrial equipment parked in the neighborhood.
My best wishes in your continuing attempt to sell the home. If we can be of further service, please don't hesitate to call us.

Sharon Hill Elough
Office Manager

Pullen & Paul
REALTY, INC.
3011 296-8300
150 YORK ROAD
LUTHERVILLE, MD. 21088

May 30, 1985
Mr. & Mrs. Faber
1342 Southeast 28th Terrace
Cape Coral, Florida 33904
Re: 1911 Mills Road
Dear Mr. & Mrs. Faber:
Regarding your property located at 1911 Mills Road, Baltimore County which has been listed for sale by Pullen & Paul Realty, Inc. Multiple Listing 1184180-02 and I, Steve M. Burdett as your sales agent.
I have had four open houses held on Sundays and have shown the property to at least twelve prospective buyers. The main reason your property has not sold is the fact that it's situated in an industrial area. The women do not find the area appealing and are afraid to drive thru the neighborhood after dark.
We have made every marketing effort to secure a buyer and it is our opinion that the industrial trucks and heavy equipment which is stored in front of the property and parked on the shoulders of Flood Road, is the main de factor from securing a buyer for your property.
Sincerely,
PULLEN & PAUL REALTY, INC.
Steve M. Burdett
Steve M. Burdett
SMB/ksh

Mr. Francis Thomas Leyden
The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
Petitioners: The Owl Corporation, et al.
Case No. 86-307-A

TIME: 10:30 a.m.

DATE: Tuesday, February 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012830

DATE: 1/17/86 ACCOUNT: 01-615-000

RECEIVED FROM: Owl Corporation

AMOUNT: \$100.00

FOR: Variance # 177

B 8123*****1222a 5076F

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

OCT 9 1985

October 3, 1985

82137-0

Kilde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

Reference: Owl Corporation
Storm Water Management Waiver Request

Gentlemen:

We have reviewed the subject waiver request and recommend approval in that it meets the criteria of Section 2-150 3. (c) (1).

Very truly yours,
James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:CLW:nt
cc: E.A. McDonough
T. Vidmar
T. Ernst
S. Carrell
R. Dills
file

PETITIONER'S
EXHIBIT 3

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
904-3211

NORMAN E. GERDER
DIRECTOR

OCT 21 1985

CONSULTANTS
1020 CROMWELL BRIDGE ROAD
TOWSON, MD. 21204

October 18, 1985

Richard L. Smith
1020 Cromwell Bridge Road
Towson, Maryland 21204

Re: Owl Corporation
1936 Rettman Lane
W-85-148

Dear Mr. Smith:

We have reviewed your waiver application for the above property and have determined that a waiver for the Standards (roads, curb, gutter and sidewalks) would be within the scope, purpose and intent of the Development Regulations of Baltimore County and is therefore approved. This development shall comply with all other applicable laws, rules and regulations of Baltimore County (Section 22-51).

Should you have questions please contact Susan Carrell at 499-3335.

Sincerely,
Norman E. Gerder
Norman E. Gerder
Director of Planning and Zoning

NEG:rh

cy: Susan Carrell
James A. Markle
Edward A. McDonough
file

PETITIONER'S
EXHIBIT 4

BALTIMORE COUNTY, MARYLAND
HUNTER EPPERSON and
JULES FABER

Appellants

vs.

ARTHUR J. STEINER,
OWL CORPORATION,
ALBATROSS CONTAINER SERVICES,
UNIVERSAL TRUCKING OF DUNDALK, INC.,
and JAMES ROSMATSKY

Appellees

Re: ALLEGED ZONING VIOLATION
1936 Rettman Lane
12th Election District

BOARD OF APPEALS FOR BALTIMORE
COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Case No. 82-M-320
14/325

MEMORANDUM OPINION AND ORDER

This is an appeal from the Baltimore County Board of Appeals, brought by Baltimore County and two Complainants, Jules Faber and Hunter Epperson, pursuant to Section 604 of the Baltimore County Charter. The Board of Appeals overturned a ruling by the Deputy Zoning Commissioner who had found that the Appellees were in violation of the zoning laws by operating a trucking facility on the subject property, 1936 Rettman Lane. On appeal from the Deputy Commissioner's ruling, the Board of Appeals found that a non-conforming use had been established. Feeling aggrieved by that decision, the County and several Complainants seek review by this Court.

Prior to the hearing before the Board of Appeals, Baltimore County and the Appellees (Arthur J. Steiner, et al) stipulated to certain factual issues. Based on the stipulation that the use involved pre-dated the passage of County Council Bill No. 218-80, the Board found that a legal non-conforming use existed.

Baltimore County argues in its Petition for Appeal that the Board erred in finding that a non-conforming use exists on the subject property. It is contended that the use cannot be a valid non-conforming one since it was not a legal use until the passage of Bill No. 218-80. At the hearing before this Court, however, the parties stipulated that the issues of the legality of the use and the applicability of Bill No. 218-80 have been previously litigated in the case of Baltimore County, MD v. H. S. Sullivan, Agent, and Albatross Container Services, Inc., Re: Alleged Zoning Violation; Stansbury Road, 12th District, Misc. No. 7682/13/332, wherein this Court decided those issues adverse

to Baltimore County. This Court finds, accordingly, that those issues have in fact been previously resolved, and that the H. S. Sullivan case is controlling.

In light of the above, it is this 17 day of June, 1983, by the Circuit Court for Baltimore County,

ORDERED that the decision of the Board of Appeals, granting the Appellees a non-conforming use at 1936 Retman Lane, be and is hereby AFFIRMED. Any costs are to be paid by the Appellants.

A. Owen Hennegan
Judge

Case No. 86-307-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
13th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner The Owl Corporation
Petitioner's Attorney

Received by: James E. Dyer, Jr.
Chairman, Zoning Plans
Advisory Committee

LAW FIRM
Remath, Lenth, Hennegan & Fox

GERMANIA FEDERAL BUILDING
400 EASTERN BOULEVARD
TOWSON, MARYLAND 21204
TELEPHONE (301) 841-2874

ROBERT J. ROMAN
JOHN E. GOTTWINE
JOHN O. HENNEGAN
CHARLES E. POSE, III
DONALD E. BRAND

March 17, 1986

Jean M.H. Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204-0754

Re: Owl Corporation

Dear Ms. Jung:

Enclosed you will find copy of site plan which points out the recommended land scaping to be done on the site. We would respectfully request nine months in order to comply with the proposed land scaping as set out.

If you have any questions concerning this matter, please do not hesitate to contact me.

JOH:kb
Enc.
cc: Francis Thomas Leyden

IN THE MATTER OF:
Case No. 86-307-A
BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ARTHUR STEINER & BORSSUCK ESTATE,
THE OWL CORP.

Appellants

vs.

THE PEOPLE'S COUNCIL FOR BALTIMORE
COUNTY AND THE COUNTY BOARD OF
APPEALS FOR BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Case No. Misc. 7401/13/51

MEMORANDUM OPINION AND ORDER

This is an appeal from a decision of the Baltimore County Board of Appeals by Arthur Steiner & Borssuck Estate and the Owl Corp. (Appellants), pursuant to §604 of the Baltimore County Charter, denying a special zoning exception for a service garage. This Court has reviewed the entire record below, together with the transcripts, exhibits and memoranda.

The subject property is located in the Twelfth Election District at 1936A Flood Road, which is approximately thirty-six (36) feet northwest of Retman Lane. The entire area of the subject property is approximately 2.1476 acres and all of this subject area is zoned MR-1M.

The Petitioners/Appellants seek a special exception for 0.19 acres of the subject property. It is their intention to lease this property to a separate service garage operator. The Petitioners proposed that the service garage use would be limited to body and fender repairs for automobiles and for trucks that do not exceed 3/4 ton in size. The Petitioners also offered to limit the hours of operation and noted that all work would be performed inside the existing building.

The Appellants urge that the decision of the County Board of Appeals be reversed, permitting the special exception. The Appellants argue correctly that the special exception enjoys a presumption of validity absent some fact or circumstance negating the presumption. However, the Board found as a matter of fact that the granting of the special exception would tend to cause congestion on the road leading into the area. The Board based this finding on testimony, photographs and the fact that the subject property is situated on a peninsula with only one road providing a means for ingress and egress.

In light of the fact that the County Board of Appeals is a fact-finding body, this Court is powerless to overturn a Board decision unless it is arbitrary, capricious or clearly erroneous. Section 502.1 of the Baltimore County Zoning Regulations states that before any special exception may be granted, it must appear that the use for which the special exception is requested will not tend to create congestion in roads, streets or alleys. Since there was evidence supporting the fact that said special exception may affect congestion in the area, the Board's ruling was not clearly erroneous and will therefore be upheld.

For all of the foregoing reasons, and having found that the Baltimore County Board of Appeals was not arbitrary and capricious, it is this 2 day of June, 1983, ORDERED that the decision of the Baltimore County Board of Appeals, denying the special zoning exception, be and is hereby AFFIRMED. Appellants to pay the costs.

A. Owen Hennegan, Judge

12-1517
February 6, 1986

Mr. Julius Faber
1142 S.W. 25th Terrace
Case Coral, FL 33904

Mr. Arnold Jablon
Zoning Commissioner
110 Chesapeake Ave.
Towson, Maryland 21204

Subject: Zoning Variance.

THE OWL CORP. 86-307-A
Tues. 10:30 A.M.
By Dear Sir:

An sending you two very, very, very good reasons why said variance should not be issued. In the past, I and some other residents have been at variance with this very ambitious owl (corporation) since said owl impeded it's talons into this area of, yonch Cove. A former beautiful area which was designated as, No (rural) and now designated as, M-1 because of an urban renewal program by certain ambitious politicians and their beafellows \$22-000.

This very small acreage (2.3) is not owl property but is leased from Mr. Arthur J. Steiner & Borssuck Estate of, Annapolis. Yes, this wise old owl (corporation) from, Prince George's County, (Upper Marlboro) has invaded this territory (area) with it's \$115,000,000 and unscrupulous lawyer who has misrepresented the facts in Case no. 86-307-A, while I was at sea. Please note that litigation case of Baltimore County, Md. v. H.S. Sullivan, As nt, and Albro's Container Services, Re: Alleged zoning violation; Stensbury Road app lies to said road and not to the Owl Corporation at 1936 Retman Lane. A direct misrepresentation of the facts.

Please note, Case No. 80-56-A by People's Council & County Board of Appeals and date of same. Judge Hennegan awarded me in our favor and at the same time within a matter of days made a decision on misrepresented facts of which he had ample proofs to the contrary.

Incidentally, Case no. 82-320 (misrepresented by a professional lawyer) while I was at sea gave the victory to this Owl. And also incidentally, Case no. 80-56-X m. have saved my life as I was to report back to my ship's deck, during a storm which was lost off the Virginia-Car. story later.

I am to be in Baltimore, April 1st, this year to perhaps auction off our property to the highest bidder. At that time, I could appear at a hearing that you may designate. I would like to face the above lawyer and pose the above misrepresentation as fact. It is within your power to meet me said intended hearing and date to above stipulated date of April 1st. Sincerely, Julius Faber
Seafarer

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

February 6, 1986

Chairman

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Baltimore, Md. 21222

RE: Item No. 177 - Case No. 86-307-A

Dear Mr. Leyden:

Enclosed please find additional comments submitted after my original comments of January 22, 1986.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hsc

Enclosures

cc: Kidd Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Md. 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 22, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Dundalk, Maryland 21222

RE: Item No. 177 - Case No. 86-307-A
Petitioner - The Owl Corporation
Variance Petition

Dear Mr. Leyden:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Kidd Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
400-301

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 24, 1986
(CRITICAL AREA)

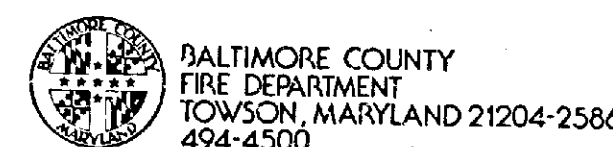
Re: Zoning Advisory Meeting of November 19, 1985
Item # 177
Property Owner: THE OWL CORPORATION
Location: RETMAN LANE
RETMAN LANE

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on January 22, 1986.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.

cc: James Howell

Ernest A. Roper
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Owl Corporation (possible critical area)

Location: NW corner Flood Road and Reisman Lane

Item No.: 177 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in Flood Road' accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 16, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 177 Zoning Advisory Committee Meeting are as follows:

Property Owner: The Owl Corporation (possible critical area)
Location: NW corner Flood Road and Reisman Lane
District: 12th.

APPLICABLE ITEMS ARE COMMENTED:

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-85 - 1980) and other applicable Codes and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

() All the Groups except 5-4 Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. See the Groups require a one hour wall if closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008, and Table 1008. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Nonconforming Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from the _____ to the _____ or to Mixed Use _____ See Section 312 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

() See the attached page of comments.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If detailed information is required, please contact the Office of Planning and Zoning by visiting Room 122 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

By: *[Signature]*
C. E. Burnham, Chief
Building Plans Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: December 16, 1985

FROM: C. E. Burnham, Chief, Building Plans Review C-2

SUBJECT: Item #177 Zoning Advisory Committee

1) There is insufficient information on the plan submitted to provide any accuracy or detailed comment as to the Building Code. I will make the following observations of the plan.

A. The type of materials being bailed will have a direct bearing on the construction of the proposed addition.

If the materials being bailed are combustible such as paper, the area would be classified as high hazard use as per Section 306 and Table 306.2. If it is other materials such as a non-combustible, the area would be classified as S-1 or factory use as per Section 301.1 also 313.2.

B. Section 1702.0 will require areas over 12,000 square feet of factory or storage area to be sprinklered by an approved system.

C. A firewall separation between the metal building used for bailing equipment and the wood frame adjoining structure should be in place now due to the various construction classifications. See Section 101.0. See Table 501 for permissible areas for various types of construction and use.

D. See definitions page 29 "Fire Separation, Exterior Fire Exposure" on applying the setback distances which help to control the types of construction materials permitted under Table 401 and permissible areas under Table 501. See also Section 101.0 for opening protectives between adjoining buildings and interior lot lines.

E. It would appear the registered in Maryland architect/engineer of record may want to discuss this project further. If so he may call 194-3987 for an appointment.

CEB/vw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 13, 1986

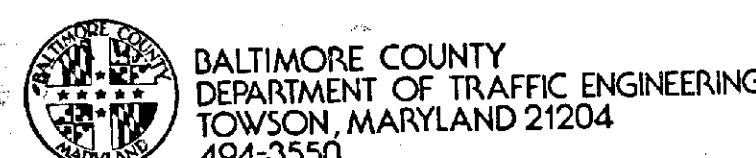
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-307-A and 86-315-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:slm



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 177 -ZAC- Meeting of November 16, 1985
Property Owner: The Owl Corporation (POSSIBLE CRITICAL AREA)
Location: NW corner Flood Road and Reisman Lane
Existing Zoning: N.L. - I.M.
Proposed Zoning: Variance to permit a from setback of 10' instead of the required 25' and a distance between buildings of 20' instead of the maximum required 60'

Acres: 2.1476
District: 12th

Dear Mr. Jablon:

The Department has reviewed the site plan and has the following comments:

1. Curb & gutter should be provided along the entire frontage of the site.
2. The entrances fails to meet county standards for trucks.
3. All gates must be 60' from the edge of the paving.

[Signature]
Michael S. Fladigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 10, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A);
SUBJECT: The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-324-A);
A.F. Surguy, et ux (86-324-A); and H. Horney (86-315-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved; this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any six or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

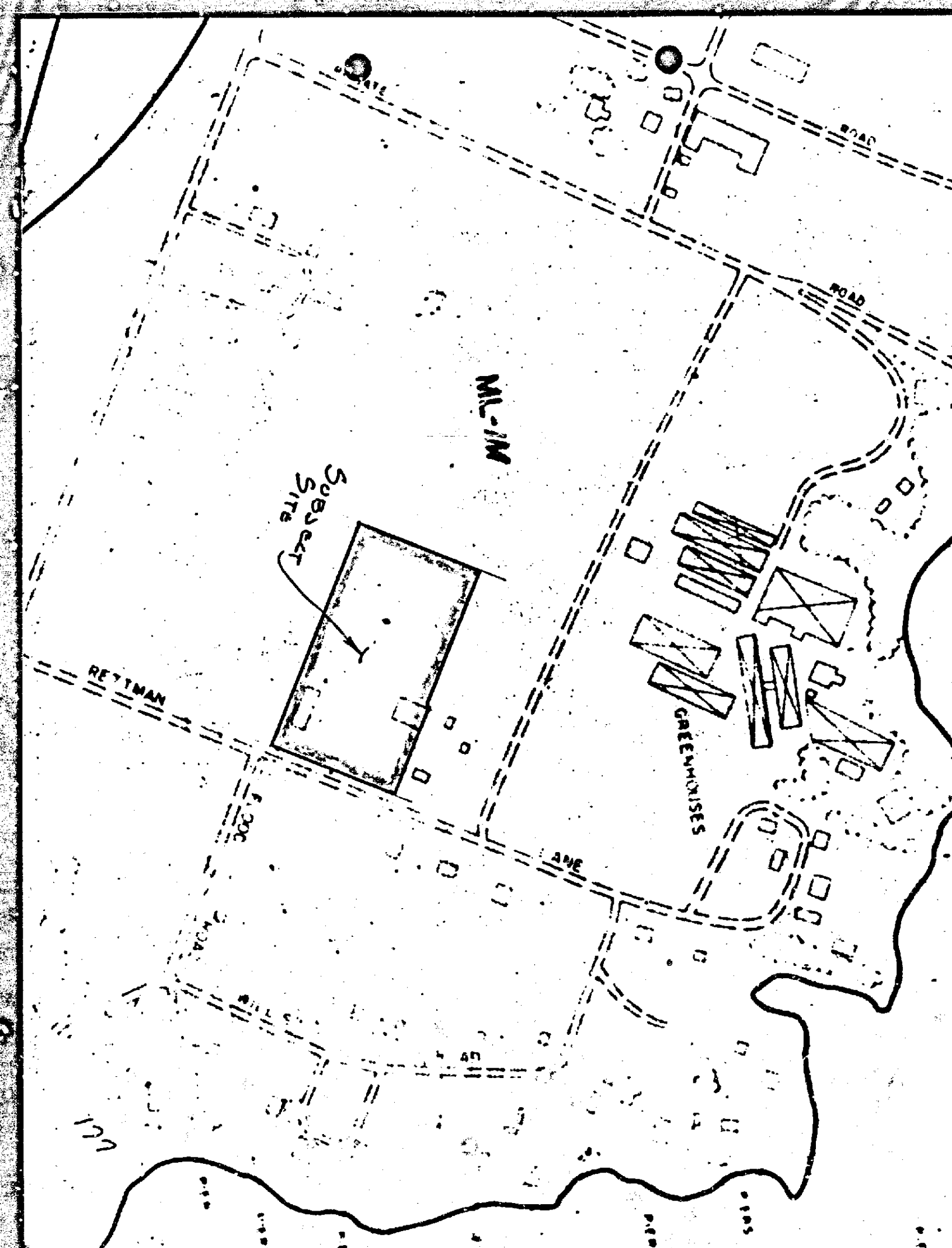
The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

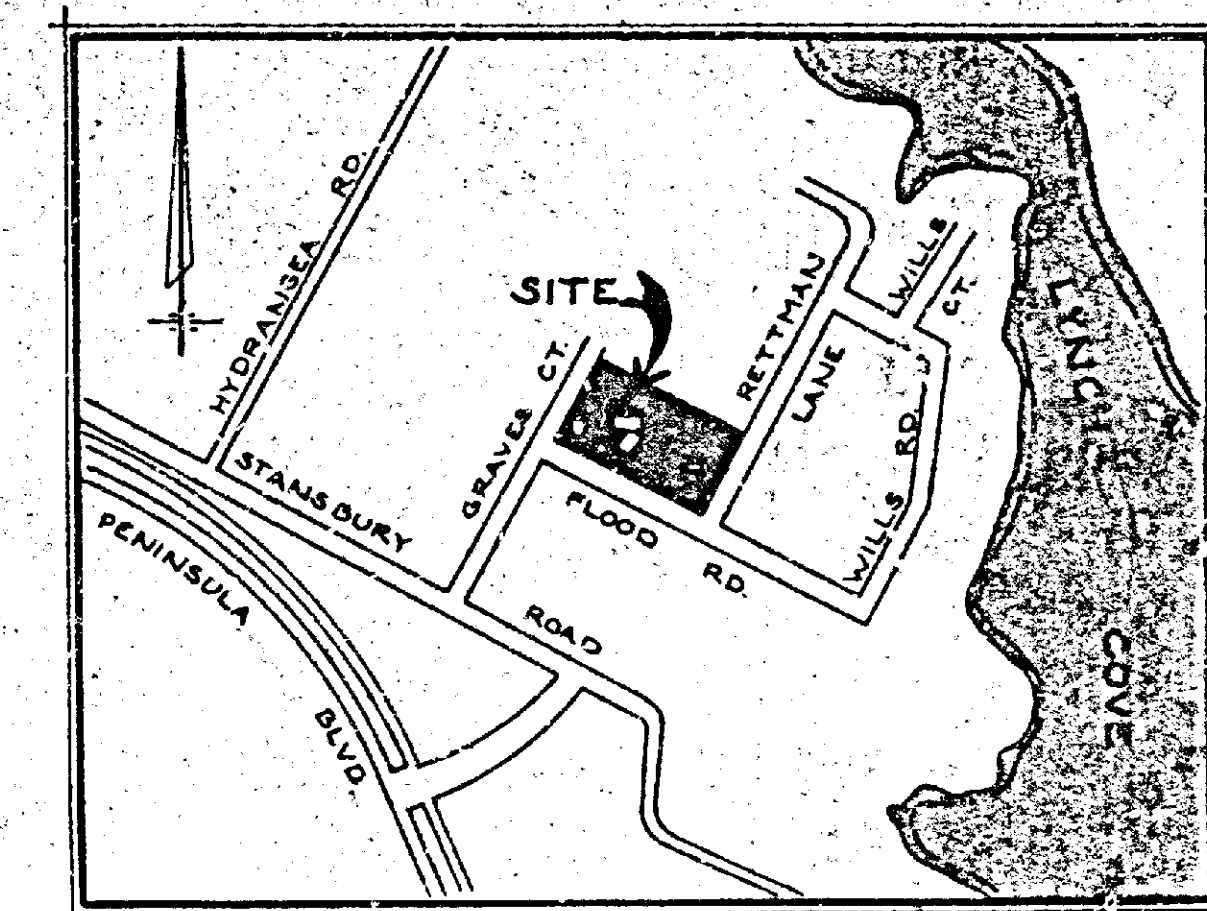
In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration of runoff from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/sf

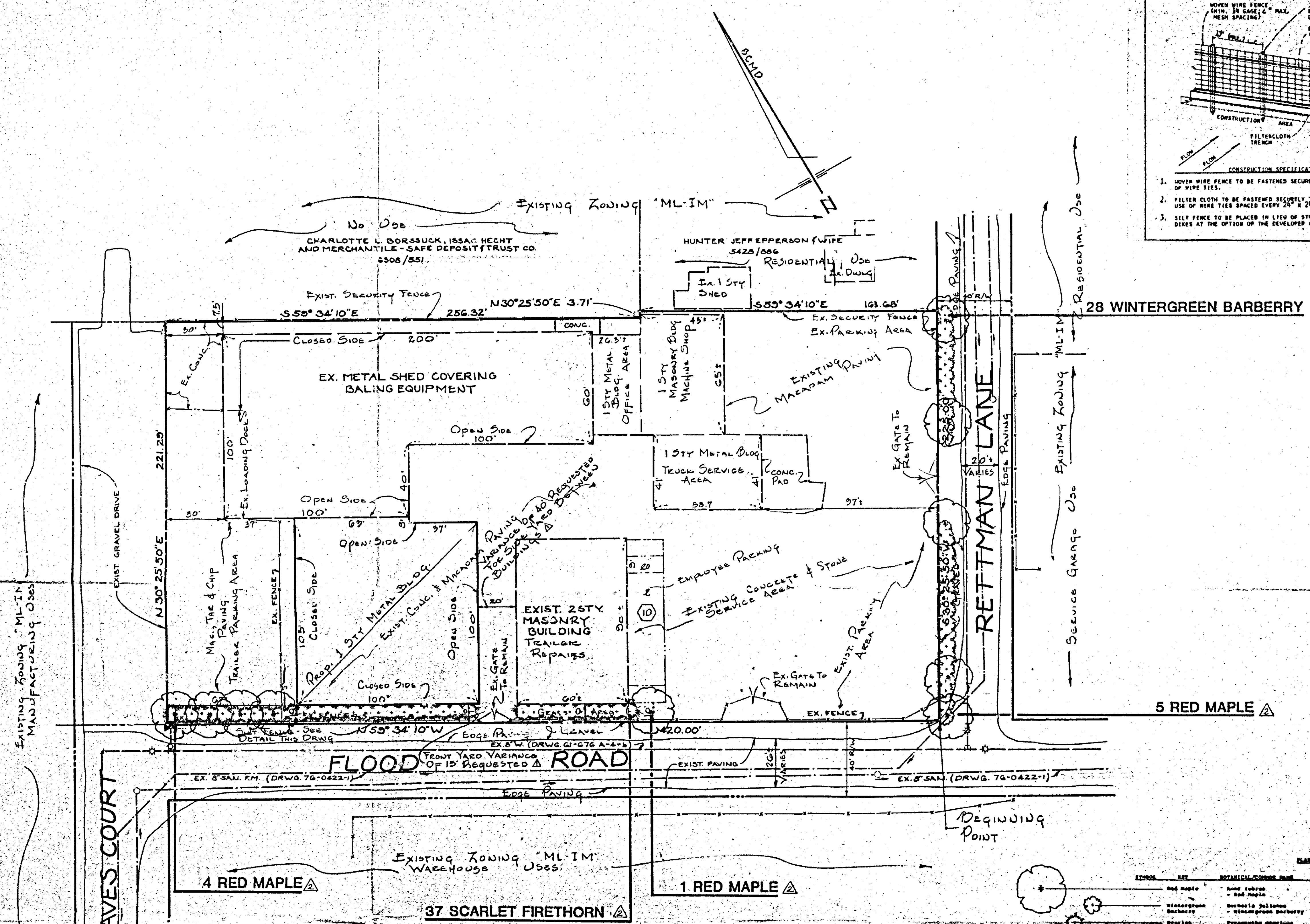
cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Roswell
Ms. Andrea J. Van Arsdale





GENERAL NOTES

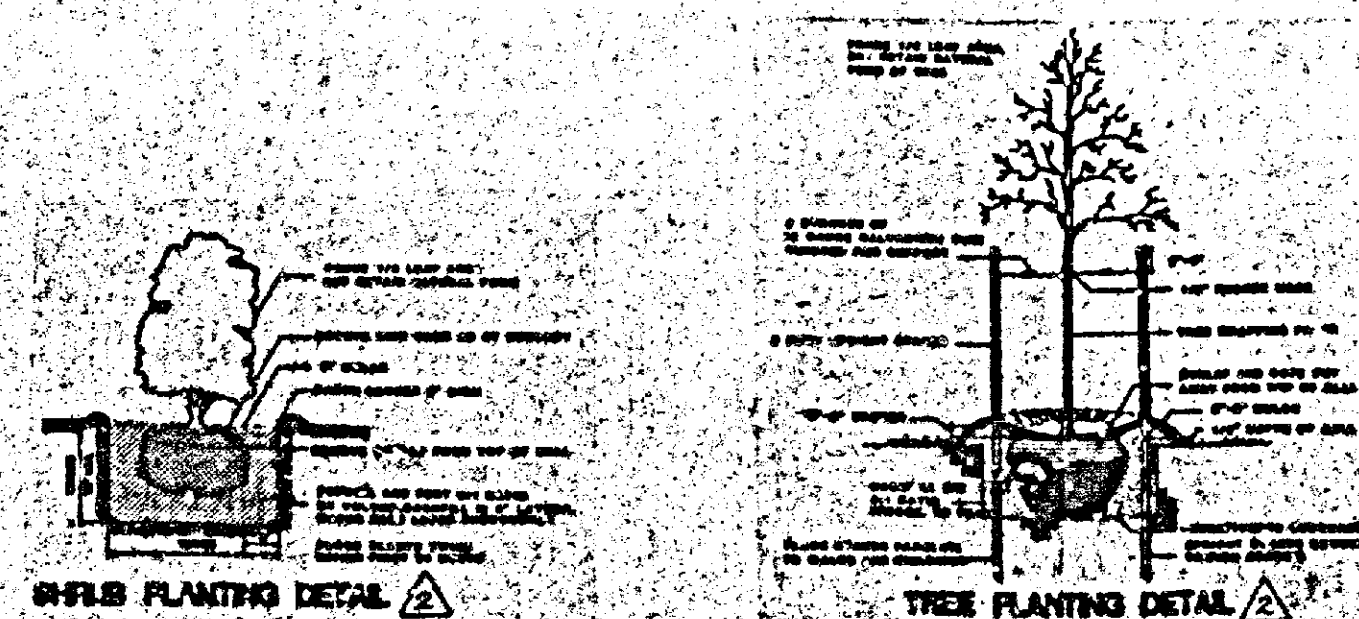
1. NET AREA OF LOT - 2.1 D.A.C.I. GROSS AREA OF LOT - 2.57 AC. I
2. EXISTING ZONING OF PROPERTY "ML-1M"
3. EXISTING USE OF PROPERTY "PAPER PALING & SHREDDING CO."
4. OFFSTREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES - 15
 - B. PROPOSED SPACES (1/2 EMPLOYEES)
 5. PUBLIC UTILITIES EXIST AT THE SITE.
 6. SITE IS LOCATED IN THE LYNCH COVE DRAINAGE AREA.
 7. CONTRACTOR TO EXCAVATE FOR LOCATION AND DEPTH OF EXISTING UTILITIES IF REQUIRED.
 8. ALL ON SITE UTILITIES TO BE BUILT UNDER BALTIMORE COUNTY PLUMBING CODE AND SPECIFICATIONS AND BY A QUALIFIED UTILITY CONTRACTOR, IF REQUIRED.
 9. CONSTRUCTION SHOWN ON THIS PLAN IS NOT TO BE COMMENCED BEFORE OBTAINING ALL REQUIRED PERMITS.
 10. CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF PROPOSED BUILDING, IF EXISTING AT THE TIME UTILITIES ARE INSTALLED, BY SHEETING, SHORING, OR OTHER SUITABLE METHOD.
 11. WATER SERVICE IF REQUIRED TO HAVE A MINIMUM OF 4.0' COVER FROM GRADE, 6" CLEARANCE FROM STORM DRAINS, AND A MINIMUM OF 10' CLEARANCE FROM ALL SANITARY SEWERS.
 12. OBSTRUCTIONS SHOWN ON THIS PLAN ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CORRECTNESS OF THE INFORMATION GIVEN IS NOT WARRANTED OR GUARANTEED. CONTRACTOR SHALL VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION.
 13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK.
BELL TELEPHONE SYSTEM: 330-2900, EXT. 649
LONG DISTANCE CABLE DIVISION: 330-3000, EXT. 553 & 554
BALTIMORE G.F.E.: 330-6000, EXT. 601
 14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
 15. EXISTING GRADES SHALL BE MAINTAINED UNDER THE NEW STRUCTURES. CONTRACTOR SHALL EXCAVATE ONLY FOR COLUMN PIERS. CONTRACTOR TO BACK FILL WITH SELECT MATERIAL AND SHALL REPLACE PAVING TO EXISTING GRADES.
 16. PRIOR TO EXCAVATION OF COLUMN PIERS & FOOTINGS CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON THE PLAN.
17. A WAIVER HAS BEEN GRANTED FOR STORM WATER MANAGEMENT. SEE LETTER DATED OCT. 3, 1983.




PLANT SCHEDULE						
ATMOSP.	SET	BOTANICAL COMMON NAME	SIZES	QUANTITY	NO. OF	TYPE
	Red Maple	Hard cherry - Red Maple	8" x 3 1/2" Cal.	50	500	
	Wintergreen Barberry	Barbaris Lillanoae Wintergreen Barberry	1 1/2" x 1 1/2"	50	500	
	Brookside Forsythia	Prostratae americana American Forsythia	1 1/2" x 1 1/2"	10	100	

ZONING VARIANCES REQUESTED

1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 225.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15')
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 225.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 20' INSTEAD OF THE REQUIRED 30' (A VARIANCE OF 10')



LIST OF ABBREVIATIONS

11 Major Deciduous Tree
21 Minor Deciduous Tree
23 Evergreen Tree 
41 Evergreen Shrub
31 Deciduous Shrub
51 Groundcover

Drilling CD	DATE	REVISIONS
Check 21.5	10/14/85	Added Note 17 & Notes Requesting YARD VARIANCES A
Design	5/10/86	Added Landscaping Along Flood Rd & RETHMAN LA. A
Check 21.5		

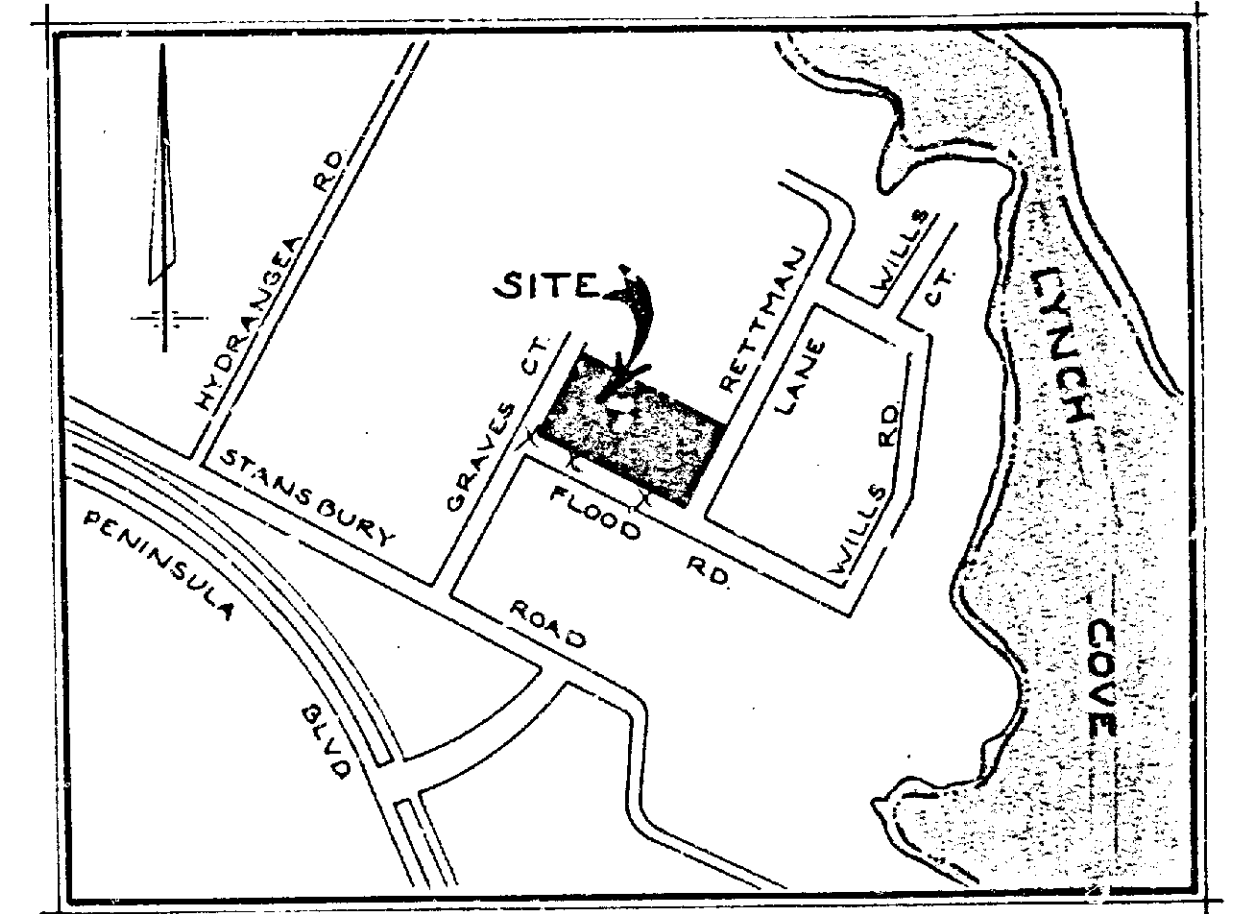
KIDDE CONSULTANTS, INC.
LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS
1620 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204 301-321-5500

OWNER
THE OYIL CORPORATION
1936 RETTMAN LANE
BALTIMORE, MARYLAND 21222
301-282-0000

ELECTION DISTRICT N° 12
COUNCILMANIC DISTRICT N°

SITE PLAN
BUILDING ADDITION FOR THE OWL CORPORATION
1536 RETTMAN LANE
BALTIMORE COUNTY MARYLAND

SHEET 1	DATE JUNE 1965	JOB NUMBER
OF 1	SCALE 1"=30'	42137-D

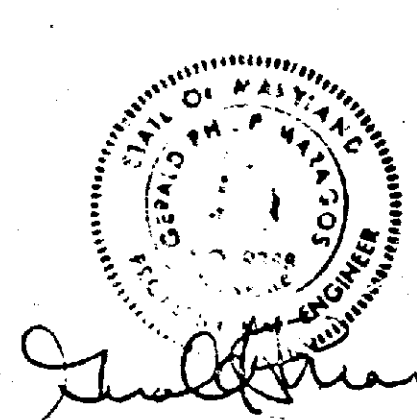


SCALE: 1" = 500'

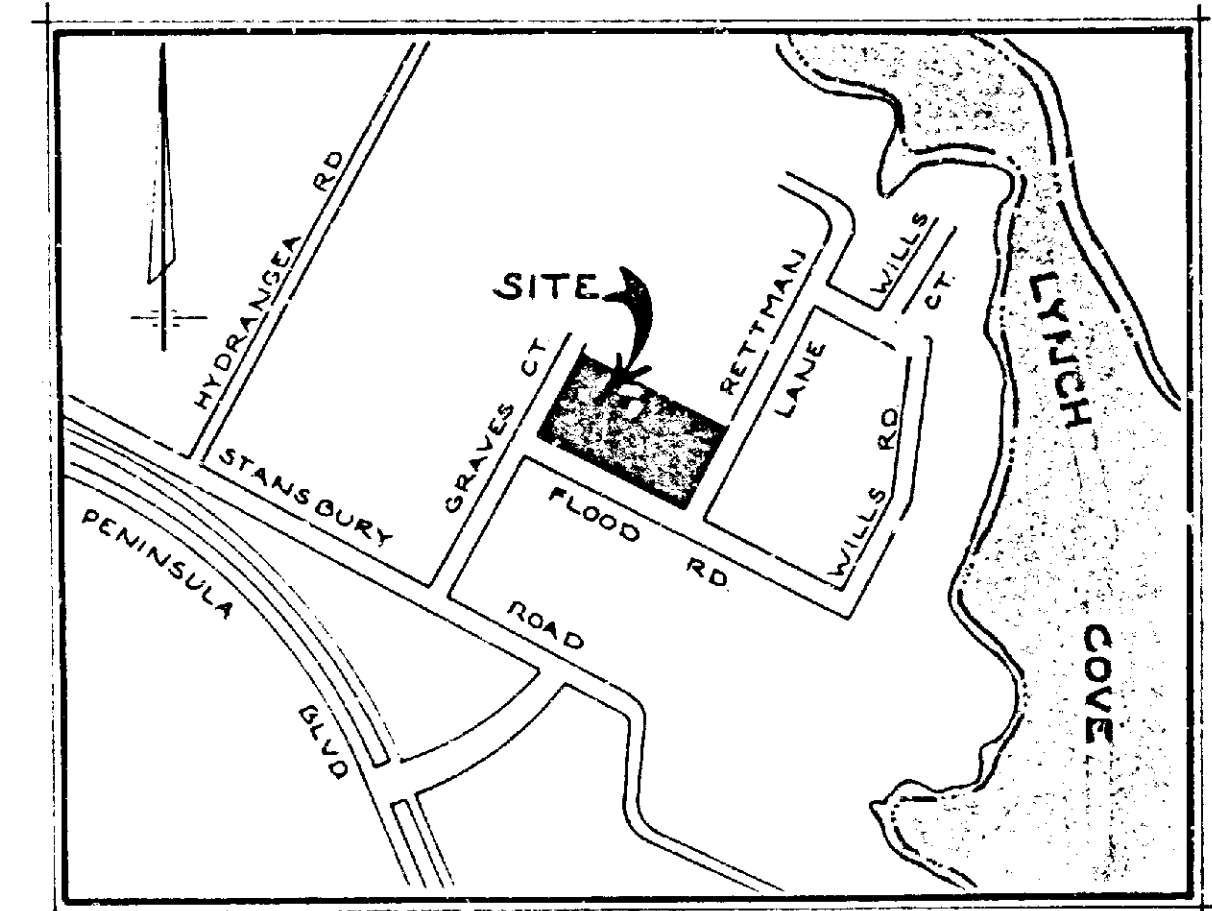
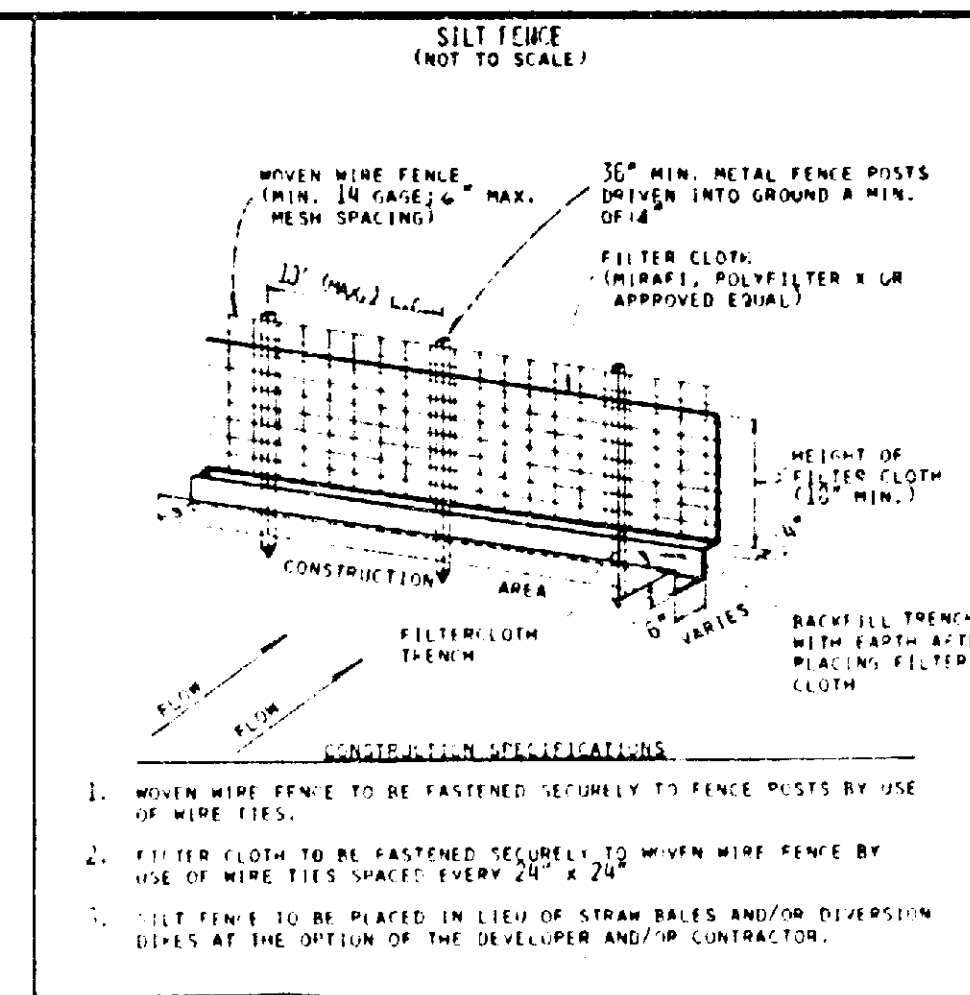
1. NET AREA OF LOT: 2.13 AC.±. GROSS AREA OF LOT: 2.57 AC.±.
2. EXISTING ZONING OF PROPERTY: "ML-1M"
3. EXISTING USE OF PROPERTY: PAPER PALING & SHREDDING CO.
4. OFF STREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES: 15
 - REQUIRING 5 SPACES (1/3 EMPLOYEES)
 - B. PROPOSED PARKING: 10 SPACES
5. PUBLIC UTILITIES EXIST AT THE SITE.
6. SITE IS LOCATED IN THE LYNCH COVE DRAINAGE AREA.
7. CONTRACTOR TO EXCAVATE FOR LOCATION AND DEPTH OF EXISTING UTILITIES IF REQUIRED.
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13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK.
BELL TELEPHONE SYSTEM: 530-5500, EXT. 649
LONG DISTANCE CABLE DIVISION: 530-5500, EXT. 553 OR 554
BALTIMORE G.F.: 530-6000, EXT. 601
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
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1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15')
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 20' INSTEAD OF THE REQUIRED 60' (A VARIANCE OF 40')

#177
1 sign



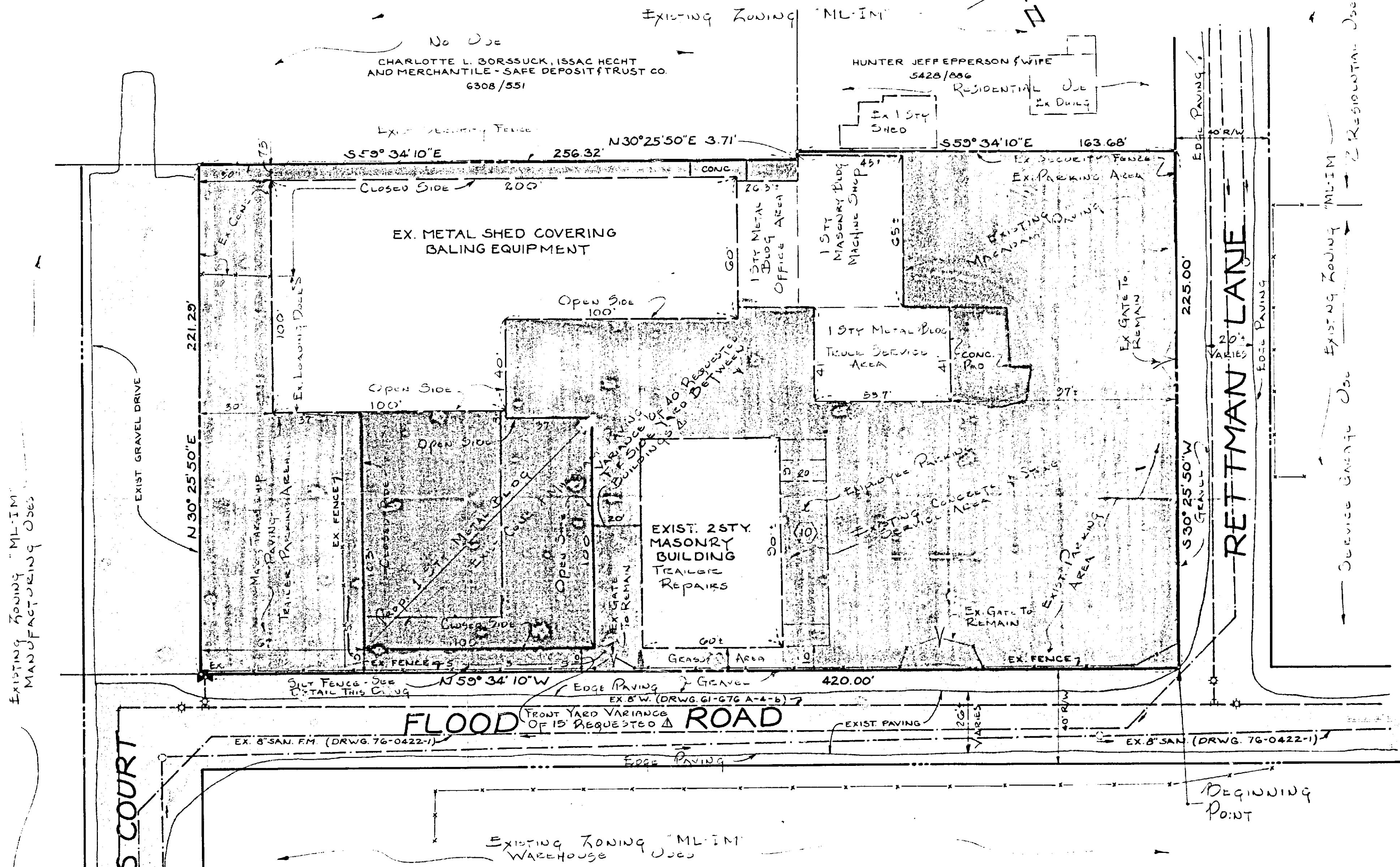
SHEET 1	DATE JUNE 1985	JOB NUMBER
OF 1	SCALE 1" = 30'	82137-0



LOCATION MAP
SCALE: 1" = 500'

GENERAL NOTES

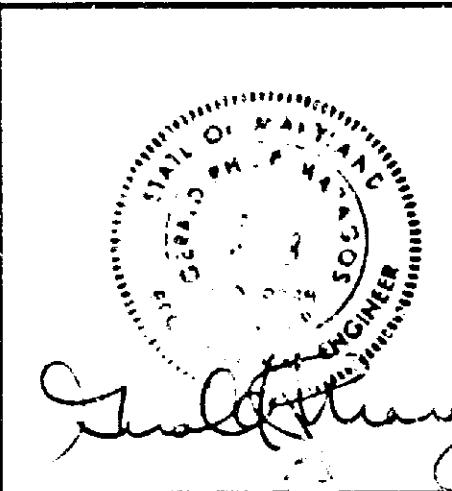
1. NET AREA OF LOT = 2.15 AC. GROSS AREA OF LOT = 2.57 AC.
2. EXISTING ZONING OF PROPERTY "ML-1M"
3. EXISTING USE OF PROPERTY "PAPER BAILING & SHREDDING CO."
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13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK:
 - BELL TELEPHONE SYSTEM: 530-0000, EXT. 643
 - LONG DISTANCE CABLE DIVISION: 530-0000, EXT. 533-5554
 - BALTIMORE G.F.E.: 530-8000, EXT. 601
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
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ZONING VARIANCES REQUESTED

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PETITIONER'S EXHIBIT N° 2



MAP RE-4F
4A
E.D. 12
DATE 12-10-86
200
NO
DE

441#
86-307-A
V-402-78

THE Owl Corporation, 86-307-A
Beginning at NW/Corner of Flood Rd. & Rettman Lane
12th Election District

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
2.1476 ACRE PARCEL
NORTHWEST CORNER FLOOD ROAD AND RETTMAN LANE
BALTIMORE, MARYLAND
EXISTING ZONING "M L I M"
PROPOSED - "YARD VARIANCES"

BEGINNING at the northwest corner of Flood Road and Rettman Lane, running thence binding on the northerly side of said Flood Road (1) North 59 degrees 34 minutes 10 seconds West 420.00 feet, thence binding on the easterly side of Graves Court, if extended, (2) North 30 degrees 25 minutes 50 seconds East 221.29 feet, thence three courses (3) South 59 degrees 34 minutes 10 seconds East 256.32 feet, (4) North 30 degrees 25 minutes 50 seconds East 3.71 feet and (5) South 59 degrees 34 minutes 10 seconds East 163.68 feet to the westerly side of said Rettman Lane, thence binding thereon (6) South 30 degrees 25 minutes 50 seconds West 225.00 feet to the place of beginning.

CONTAINING 2.1476 acres of land.
RWB/lc KCI Job Order No. 01-82137-D October 16, 1985
Work Order No. 9246



**BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3053**

ARNOLD JADLOW
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 11, 1986

John O. Hennegan, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

RE: PETITION FOR VARIANCE
Beginning at the NW/Corner of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation, et al,
Petitioners
Case No. 86-307-A

Dear Mr. Hennegan:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 233.1, 238.1 and 238.2 (102.2) To permit a front setback of 10 ft. instead of the required 25 ft., and a distance between buildings of 20 ft. instead of the maximum required 60 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty in that the existing business is expanding with new accounts. The business can only expand within the outlines of the property it now owns. Additional storage is required and must be located adjacent to the existing paper baling equipment to facilitate the flow of the product through the plant. Without the yard variance the proposed building would only have a storage capacity of 5,100 square feet and would greatly limit the expansion of the business to perform a needed service to the business community of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
Address: _____

City and State: _____

Attorney for Petitioner: _____
(Type or Print Name)

Signature: _____
Address: _____

City and State: _____

Attorney's Telephone No.: _____

Legal Owner(s):
Francis Thomas Leyden
(Type or Print Name)

Signature: _____

Address: _____

City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Francis Thomas Leyden
Name

1936 Rettman Ln., Dundalk, MD 21222
Address

Phone No. 282-0066

ORDERED By the Zoning Commissioner of Baltimore County, this 13th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 18th day of February, 1986, at 10:30 o'clock.

Arnold J. Jadlow
Arnold J. Jadlow
Zoning Commissioner of Baltimore County.

(over)

IN RE: PETITION FOR VARIANCE
Beginning at the NW/Corner of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-307-A

The Petitioner herein requests variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet.

Testimony on behalf of the Petitioner indicated that the Petitioner, who has owned the site since 1978, operates a company which receives scrap paper to be baled and shipped to paper mills for recycling. He proposes to construct a 12-foot high building for the storage of loose and baled paper currently being stored in the open at the same location and causing an unsightly situation when blown through the property and neighborhood. The building will be located with the same front yard setback as an existing two-story building. The site provides no other feasible location for the storage building. With the exception of a few square feet, the site is entirely covered with impervious surfaces. Therefore, the proposed building will not increase runoff from the site. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

PETITION FOR ZONING VARIANCES

12th Election District

LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane

DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 60 feet.

Being the property of The Owl Corporation, et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JADLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of April, 1986, that the herein Petition for Variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet, in accordance with the plan prepared by Kidde Consultants, Inc., revised March 10, 1986, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All gates shall open into the site.
2. When any portion of the security fence is replaced, the new fence or live screening must comply with current BCZR. Slat replacements shall be wood.
3. The Petitioner shall provide landscaping as set out on the site plan dated March 10, 1986 within twelve (12) months. In the event that the Petitioner or any subsequent subject purchasers of the Petitioner's property are required to remove the landscaping shown in the right-of-way located on Rettman Lane on said site plan for any reason whatsoever, it shall be the Petitioner's or subsequent purchaser's responsibility to relocate landscaping and/or screening within the property lines of the Petitioner on Rettman Lane within the site outlines as shown on the site plan. White pines may replace the red maples.

Jan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

RE: PETITION FOR VARIANCES
Beginning NW/Corner Flood Rd. & Rettman Lane,
12th District
THE OWL CORPORATION, et al.,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-307-A

ENTRY OF APPEARANCE

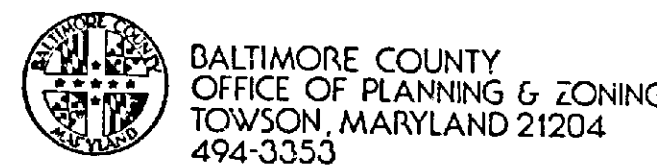
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Francis Thomas Leyden, Owner, The Owl Corporation, 1936 Rettman Lane, Dundalk, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

Mr. Francis T. Leyden
c/o The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
The Owl Corporation, et al - Petitioners
12th Election District
Case No. 86-307-A

Dear Mr. Leyden:

This is to advise you that \$59.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018480

DATE: 2/11/86 ACCOUNT: R-01-615-000
RECEIVED FROM: Owl Corporation
AMOUNT: \$59.75

FOR: Advertising & Posting - Case No. 86-307-A
B 8045*****5555a 3114F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73241 - Reg. # 184170 - 75 lines @ \$30.00.
was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 31st day of January 1986; that is to say, the same was inserted in the issue of January 30, 1986

Kimbel Publication, Inc.
per Publisher.
By *R.C. Decker*

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 30, 1986.

THE JEFFERSONIAN,
JB Kentz
Publisher

Cost of Advertising
86-307A 24.75

PETITION FOR ZONING VARIANCES
12th Election District
LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane
DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 40 feet, being the property of The Owl Corporation, et al, as shown on plan filed with the Zoning Office.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, upon the submission of said permit, a copy of the minutes of said hearing, and the petition for zoning variance, to the Board of Appeals for their consideration. Such request must be received in writing by the date of the hearing or shown at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Jan. 30

Chris Cella, Inc.
1342 S.E. 28th Terrace
Cape Coral, Fla. 33904
(813) 486-5500
5-30-85

LETTER NUMBER 86-307-A
PUBLISHED IN THE
DUNDALK EAGLE
ON JANUARY 30, 1986
THIS IS TO CERTIFY THAT THE
ANNEXED ADVERTISEMENT WAS
PUBLISHED IN THE DUNDALK EAGLE
ON JANUARY 30, 1986
IN THE MATTER OF
P.O. #73241 - REG. # 184170 - 75 LINES @ \$30.00
WAS INSERTED IN THE DUNDALK EAGLE
A WEEKLY NEWSPAPER PUBLISHED IN
BALTIMORE COUNTY, MARYLAND,
ONCE A WEEK FOR ONE SUCCESSIVE
WEEK BEFORE THE 31ST DAY OF
JANUARY 1986; THAT IS TO SAY,
THE SAME WAS INSERTED IN THE
ISSUE OF JANUARY 30, 1986

RE: Mr. & Mrs. Jules Faber
1911 Wills Rd.
Baltimore, Md. 21222
Dear Mr. Faber:
This is to confirm our conversation concerning our previous attempt to market your home at 1911 Wills Rd. from Dec. 11, 1985 to Jan. 25, 1986. Our Marketing efforts included, multiple listing, open house, office tour, classified advertising, posting of "a" for sale sign and the agent's personal promotion of the property.
We felt that your property was in extraordinary condition and should have attracted numerous potential buyers. Unfortunately, the property remained unsold during the listing period. The feedback we received from potential clients proved to be negative mainly because of the trucks and industrial equipment parked in the neighborhood.
My best wishes in your continuing attempt to sell the home. If we can be of further service, please don't hesitate to call us.

Sincerely,
Shirley M. Bluff
Office Manager

Pullen & Paul
REALTY, INC.
3011 296-8300
1510 YORK ROAD
LUTHERVILLE, MD. 21088

May 30, 1985
Mr. & Mrs. Faber
1911 Wills Road
Baltimore, Maryland 21222
Dear Mr. & Mrs. Faber:
Regarding your property located at 1911 Wills Road, Baltimore County which has been listed for sale by Pullen & Paul Realty, Inc. Multiple Listing 1184180-02 and I, Steve M. Burdett as your sales agent.
I have had four open houses held on Sundays and have shown the property to at least twelve prospective buyers. The main reason your property has not sold is the fact that it is situated in an industrial area. The women do not find the area appealing and are afraid to drive thru the neighborhood after dark.
We have made every marketing effort to secure a buyer and it is our opinion that the industrial trucks and heavy equipment which is stored in front of the property and parked on the shoulders of Flood Road, is the main de factor from securing a buyer for your property.
Sincerely,
PULLEN & PAUL REALTY, INC.
Steve M. Burdett
Steve M. Burdett
SMB/ksh

Mr. Francis Thomas Leyden
The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
Petitioners: The Owl Corporation, et al.
Case No. 86-307-A

TIME: 10:30 a.m.

DATE: Tuesday, February 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012830

DATE: 1/17/86 ACCOUNT: 01-615-000

AMOUNT: \$100.00

RECEIVED FROM: Owl Corporation
FOR: Variance # 177
B 8123*****1220a 5076F

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

OCT 9 1985

KIDDE CONSULTANTS
1000 CROWNELL BRIDGE RD.
TOWSON, MD. 21204

October 3, 1985

82137-0

Kidde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

Reference: Owl Corporation
Storm Water Management Waiver Request

Gentlemen:

We have reviewed the subject waiver request and recommend approval in that it meets the criteria of Section 2-150 3. (c) (1).

Very truly yours,
James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:CLW:nt
cc: E.A. McDonough
T. Vidmar
T. Ernst
S. Carrell
R. Dills
file

PETITIONER'S
EXHIBIT 3

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
904-3211

NORMAN E. GERDER
DIRECTOR

OCT 21 1985

CONSULTANTS
1000 CROWNELL BRIDGE RD.
TOWSON, MD. 21204

October 18, 1985

Richard L. Smith
1020 Cromwell Bridge Road
Towson, Maryland 21204

Re: Owl Corporation
1936 Rettman Lane
W-85-148

Dear Mr. Smith:

We have reviewed your waiver application for the above property and have determined that a waiver for the Standards (roads, curb, gutter and sidewalks) would be within the scope, purpose and intent of the Development Regulations of Baltimore County and is therefore approved. This development shall comply with all other applicable laws, rules and regulations of Baltimore County (Section 22-51).

Should you have questions please contact Susan Carrell at 499-3335.

Sincerely,
Norman E. Gerder
Norman E. Gerder
Director of Planning and Zoning

NEG:rh

cy: Susan Carrell
James A. Markle
Edward A. McDonough
file

PETITIONER'S
EXHIBIT 4

BALTIMORE COUNTY, MARYLAND
HUNTER EPPERSON and
JULES FABER

Appellants

vs.

ARTHUR J. STEINER,
OWL CORPORATION,
ALBATROSS CONTAINER SERVICES,
UNIVERSAL TRUCKING OF DUNDALK, INC.,
and JAMES ROSMARTSKY

Appellees

Re: ALLEGED ZONING VIOLATION
1936 Rettman Lane
12th Election District

BOARD OF APPEALS FOR BALTIMORE
COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Case No. 82-M-320
14/325

MEMORANDUM OPINION AND ORDER

This is an appeal from the Baltimore County Board of Appeals, brought by Baltimore County and two Complainants, Jules Faber and Hunter Epperson, pursuant to Section 604 of the Baltimore County Charter. The Board of Appeals overturned a ruling by the Deputy Zoning Commissioner who had found that the Appellees were in violation of the zoning laws by operating a trucking facility on the subject property, 1936 Rettman Lane. On appeal from the Deputy Commissioner's ruling, the Board of Appeals found that a non-conforming use had been established. Feeling aggrieved by that decision, the County and several Complainants seek review by this Court.

Prior to the hearing before the Board of Appeals, Baltimore County and the Appellees (Arthur J. Steiner, et al) stipulated to certain factual issues. Based on the stipulation that the use involved pre-dated the passage of County Council Bill No. 218-80, the Board found that a legal non-conforming use existed.

Baltimore County argues in its Petition for Appeal that the Board erred in finding that a non-conforming use exists on the subject property. It is contended that the use cannot be a valid non-conforming one since it was not a legal use until the passage of Bill No. 218-80. At the hearing before this Court, however, the parties stipulated that the issues of the legality of the use and the applicability of Bill No. 218-80 have been previously litigated in the case of Baltimore County, MD v. H. S. Sullivan, Agent, and Albatross Container Services, Inc., Re: Alleged Zoning Violation; Stansbury Road, 12th District, Misc. No. 7682/13/332, wherein this Court decided those issues adverse

to Baltimore County. This Court finds, accordingly, that those issues have in fact been previously resolved, and that the H. S. Sullivan case is controlling.

In light of the above, it is this 17 day of June, 1983, by the Circuit Court for Baltimore County,

ORDERED that the decision of the Board of Appeals, granting the Appellees a non-conforming use at 1936 Retman Lane, be and is hereby AFFIRMED. Any costs are to be paid by the Appellants.

A. Owen Hennegan
Judge

Case No. 86-307-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
13th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner The Owl Corporation
Petitioner's Attorney

Received by: James E. Dyer, Jr.
Chairman, Zoning Plans
Advisory Committee

LAW FIRM
Rennolds, Lenth, Hennegan & Fox

GERMANIA FEDERAL BUILDING
400 EASTERN BOULEVARD
TOWSON, MARYLAND 21204
TELEPHONE (301) 841-2874

ROBERT J. RONA
JOHN E. GOTTWINE
JOHN O. HENNEGAN
CHARLES E. POSE, III
DONALD E. BRAND

March 17, 1986

Jean M.H. Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204-0754

Re: Owl Corporation

Dear Ms. Jung:

Enclosed you will find copy of site plan which points out the recommended land scaping to be done on the site. We would respectfully request nine months in order to comply with the proposed land scaping as set out.

If you have any questions concerning this matter, please do not hesitate to contact me.

JOH:kb
Enc.
cc: Francis Thomas Leyden

IN THE MATTER OF:
Case No. 86-307-A
BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ARTHUR STEINER & BORSSUCK ESTATE,
THE OWL CORP.

Appellants

vs.

THE PEOPLE'S COUNCIL FOR BALTIMORE
COUNTY AND THE COUNTY BOARD OF
APPEALS FOR BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Case No. Misc. 7401/13/51

MEMORANDUM OPINION AND ORDER

This is an appeal from a decision of the Baltimore County Board of Appeals by Arthur Steiner & Borssuck Estate and the Owl Corp. (Appellants), pursuant to §604 of the Baltimore County Charter, denying a special zoning exception for a service garage. This Court has reviewed the entire record below, together with the transcripts, exhibits and memoranda.

The subject property is located in the Twelfth Election District at 1936A Flood Road, which is approximately thirty-six (36) feet northwest of Retman Lane. The entire area of the subject property is approximately 2.1476 acres and all of this subject area is zoned MR-1M.

The Petitioners/Appellants seek a special exception for 0.19 acres of the subject property. It is their intention to lease this property to a separate service garage operator. The Petitioners proposed that the service garage use would be limited to body and fender repairs for automobiles and for trucks that do not exceed 3/4 ton in size. The Petitioners also offered to limit the hours of operation and noted that all work would be performed inside the existing building.

The Appellants urge that the decision of the County Board of Appeals be reversed, permitting the special exception. The Appellants argue correctly that the special exception enjoys a presumption of validity absent some fact or circumstance negating the presumption. However, the Board found as a matter of fact that the granting of the special exception would tend to cause congestion on the road leading into the area. The Board based this finding on testimony, photographs and the fact that the subject property is situated on a peninsula with only one road providing a means for ingress and egress.

In light of the fact that the County Board of Appeals is a fact-finding body, this Court is powerless to overturn a Board decision unless it is arbitrary, capricious or clearly erroneous. Section 502.1 of the Baltimore County Zoning Regulations states that before any special exception may be granted, it must appear that the use for which the special exception is requested will not tend to create congestion in roads, streets or alleys. Since there was evidence supporting the fact that said special exception may affect congestion in the area, the Board's ruling was not clearly erroneous and will therefore be upheld.

For all of the foregoing reasons, and having found that the Baltimore County Board of Appeals was not arbitrary and capricious, it is this 2 day of June, 1983, ORDERED that the decision of the Baltimore County Board of Appeals, denying the special zoning exception, be and is hereby AFFIRMED. Appellants to pay the costs.

A. Owen Hennegan, Judge

Mr. Jules Faber
1142 S.W. 25th Terrace
Case Total, # 33904

Mr. Arnold Jablon
Zoning Commissioner
110 Chesapeake Ave.,
Towson, Maryland 21204

Subject: Zoning variance.

THE OWL CORP. 86-307-A
Tues. 10:30 A.M.
By Dear Sir:

Am sending you two very, very, very good reasons why said variance should not be issued. In the past, I and some other residents have been at variance with this very ambitious owl (corporation) since said owl impeded it's talons into this area of, yonch Cove. A former beautiful area which was designated as, No (rural) and now designated as, M-1 because of an urban renewal program by certain ambitious politicians and their befellows \$22-000.

This very small acreage (2.3) is not owl property but is leased from Mr. Arthur J. Steiner & Borssuck Estate of, Annapolis. Yes, this wise old owl (corporation) from, Prince George's County, (Upper Marlboro) has invaded this territory (area) with it's \$115,000,000 and unscrupulous lawyer who has misrepresented the facts in Case no. 86-307-A, while I was at sea. Please note that litigation case of Baltimore County, Md. v. H.S. Sullivan, As nt, and Albro's Container Services, Re: Alleged zoning violation; Stensbury Road appled to said road and not to the Owl Corporation at 1936 Retman Lane. A direct misrepresentation of the facts.

Please note, Case No. 80-56-A by People's Council & County Board of Appeals and date of same. Judge Hennegan awarded me in our favor and at the same time within a matter of days made a decision on misrepresented facts of which he had ample proofs to the contrary.

Incidentally, Case no. 82-320 (misrepresented by a professional lawyer) while I was at sea gave the victory to this Owl. And also incidentally, Case no. 80-56-X was have saved my life as I was to report back to my ship, the, during a strike which was lost off the Virginia-Cast. story later.

I am to be in Baltimore, April 1st, this year to perhaps auction off our property to the highest bidder. At that time, I could appear at the hearing that you may designate. I would like to face the above lawyer and pose the above misrepresentation as fact. It is within your power to meet me said intended hearing and date to above stipulated date of April 1st. Sincerely, Jules Faber
Seafarer

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

February 6, 1986

Chairman

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Baltimore, Md. 21222

RE: Item No. 177 - Case No. 86-307-A

Dear Mr. Leyden:

Enclosed please find additional comments submitted after my original comments of January 22, 1986.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hsc

Enclosures

cc: Kidde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Md. 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 22, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Dundalk, Maryland 21222

RE: Item No. 177 - Case No. 86-307-A
Petitioner - The Owl Corporation
Variance Petition

Dear Mr. Leyden:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Kidde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
400 EASTERN BOULEVARD
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 24, 1986
(CRITICAL AREA)

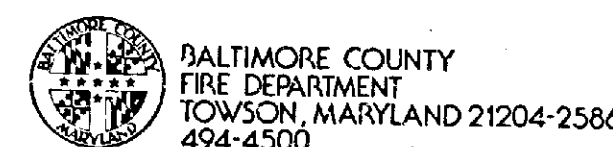
Re: Zoning Advisory Meeting of November 19, 1985
Item # 177
Property Owner: THE OWL CORPORATION
Location: RETMAN LANE
RETMAN LANE

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on January 22, 1986.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
- () The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.

cc: James Howell

Norman E. Gander
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Owl Corporation (possible critical area)

Location: NW corner Flood Road and Reisman Lane

Item No.: 177 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in Flood Road' accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 16, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 177 Zoning Advisory Committee Meeting are as follows:

Property Owner: The Owl Corporation (possible critical area)
Location: NW corner Flood Road and Reisman Lane
District: 12th.

APPLICABLE ITEMS ARE COMMENTED:

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-85 - 1980) and other applicable Codes and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

() All the Groups except 5-4 Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. See the Groups require a one hour wall if closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008, and Table 1008. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Nonconforming Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from the _____ to the _____ or to Mixed Use _____ See Section 312 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

() See the attached page of comments.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If detailed information is required, please contact the Office of Planning and Zoning by visiting Room 122 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

By: *[Signature]*
C. E. Burnham, Chief
Building Plans Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: December 16, 1985

FROM: C. E. Burnham, Chief, Building Plans Review C-2

SUBJECT: Item #177 Zoning Advisory Committee

1) There is insufficient information on the plan submitted to provide any accuracy or detailed comment as to the Building Code. I will make the following observations of the plan.

A. The type of materials being bailed will have a direct bearing on the construction of the proposed addition.

If the materials being bailed are combustible such as paper, the area would be classified as high hazard use as per Section 306 and Table 306.2. If it is other materials such as a non-combustible, the area would be classified as S-1 or factory use as per Section 301.1 also 313.2.

B. Section 1702.0 will require areas over 12,000 square feet of factory or storage area to be sprinklered by an approved system.

C. A firewall separation between the metal building used for bailing equipment and the wood frame adjoining structure should be in place now due to the various construction classifications. See Section 101.0. See Table 501 for permissible areas for various types of construction and use.

D. See definitions page 29 "Fire Separation, Exterior Fire Exposure" on applying the setback distances which help to control the types of construction materials permitted under Table 401 and permissible areas under Table 501. See also Section 101.0 for opening protectives between adjoining buildings and interior lot lines.

E. It would appear the registered in Maryland architect/engineer of record may want to discuss this project further. If so he may call 494-3987 for an appointment.

CEB/vw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 13, 1986

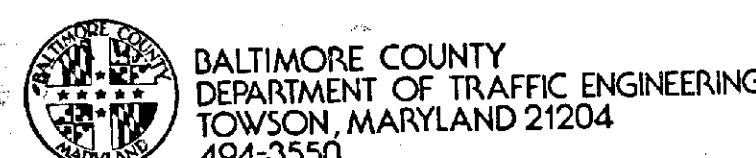
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-307-A and 86-315-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:slm



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 177 -ZAC- Meeting of November 16, 1985
Property Owner: The Owl Corporation (POSSIBLE CRITICAL AREA)
Location: NW corner Flood Road and Reisman Lane
Existing Zoning: N.L. - I.M.
Proposed Zoning: Variance to permit a from setback of 10' instead of the required 25' and a distance between buildings of 20' instead of the maximum required 60'

Acres: 2.1476
District: 12th

Dear Mr. Jablon:

The Department has reviewed the site plan and has the following comments:

1. Curb & gutter should be provided along the entire frontage of the site.
2. The entrances fails to meet county standards for trucks.
3. All gates must be 60' from the edge of the paving.

[Signature]
Michael S. Fladigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 10, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A);
SUBJECT: The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-324-A);
A.F. Surguy, et ux (86-324-A); and H. Horney (86-315-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved; this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any six or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

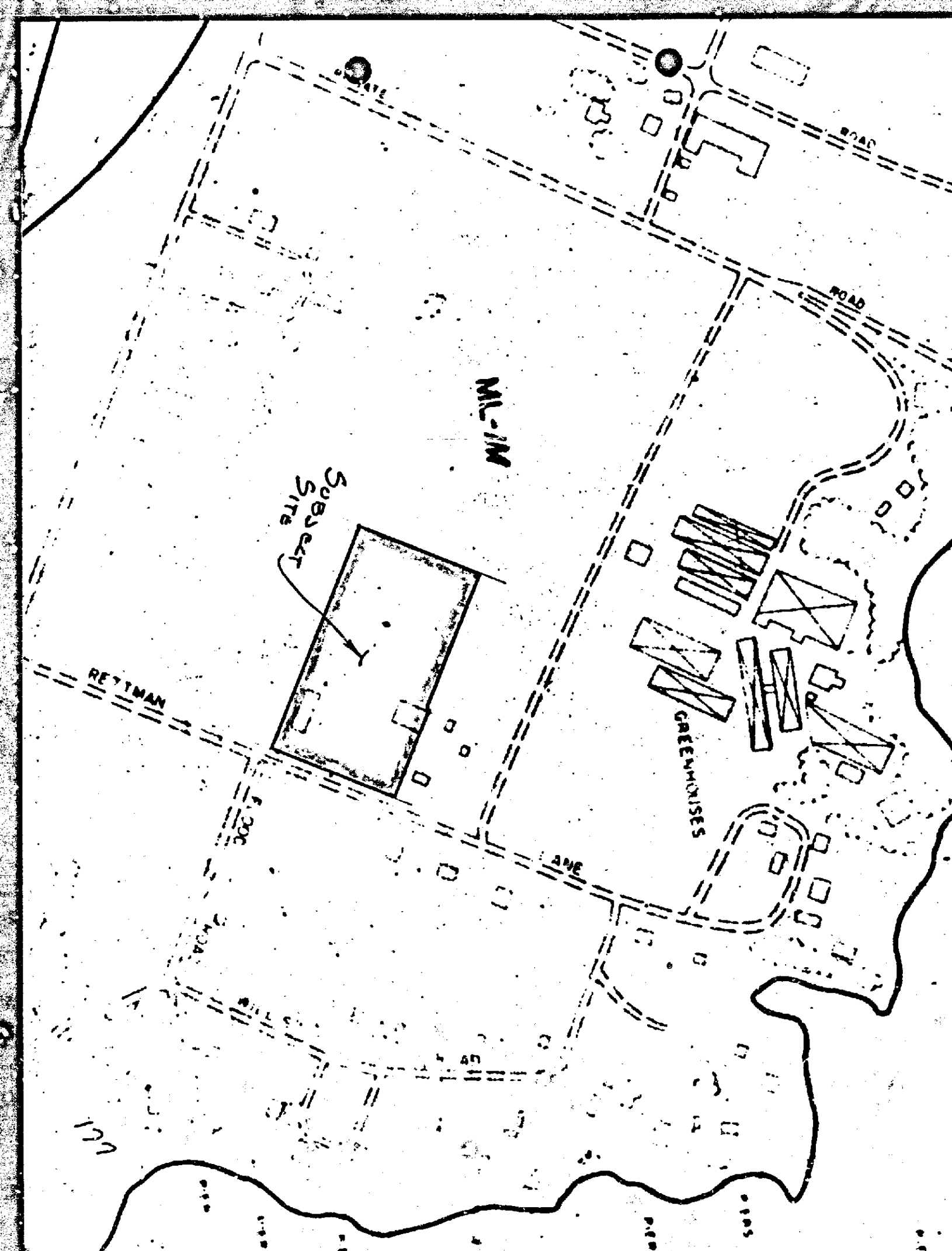
The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

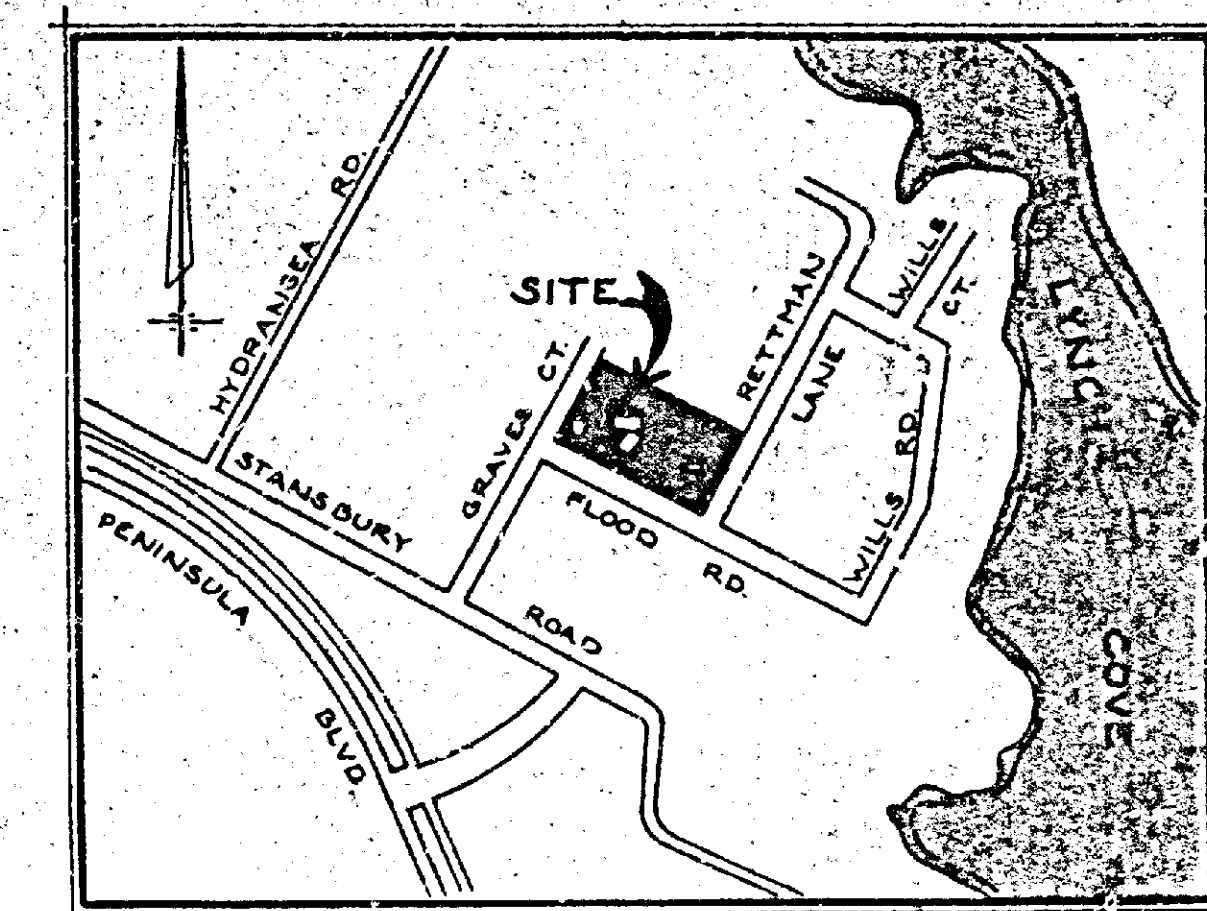
In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration of runoff from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/sf


cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Roswell
Ms. Andrea J. Van Arsdale



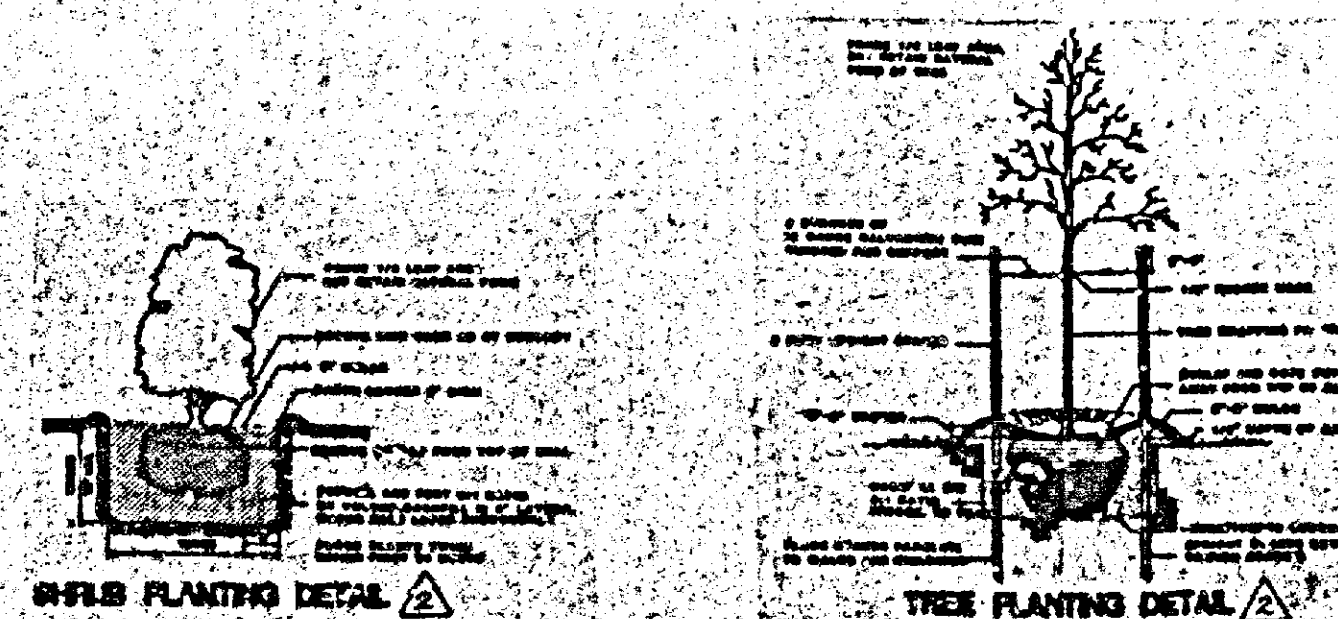


SCALE: 1" = 50'

1. NET AREA OF LOT - 2.15 AC.± GROSS AREA OF LOT - 2.57 AC.±
2. EXISTING ZONING OF PROPERTY - "ML-1M"
3. EXISTING USE OF PROPERTY - PAPER BAILING & SHREDDING CO.
4. OFF STREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES - 15
 - B. REQUIRING 5 SPACES (1/5 EMPLOYEES)
 - C. PROPOSED PARKING - 10 SPACES
5. PUBLIC UTILITIES EXIST AT THE SITE.
6. SITE IS LOCATED IN THE LYNCH COVE DRAINAGE AREA.
7. CONTRACTOR TO EXCAVATE FOR LOCATION AND DEPTH OF EXISTING UTILITIES IF REQUIRED.
8. ALL ON SITE UTILITIES TO BE BUILT UNDER BALTIMORE COUNTY PLUMBING CODE AND SPECIFICATIONS AND BY A QUALIFIED UTILITY CONTRACTOR, IF REQUESTED.
9. CONSTRUCTION SHOWN ON THIS PLAN IS NOT TO BE COMMENCED BEFORE BEGINNING ALL REQUIRED PERMITS.
10. CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF PROPOSED BUILDING, IF EXISTING AT THE TIME UTILITIES ARE INSTALLED, BY SHEETING, SHORING, OR OTHER SUITABLE METHOD.
11. WATER SERVICE IF REQUIRED TO HAVE A MINIMUM OF 4.0' COVER FROM GRADE, 6" CLEARANCE FROM STORM DRAINS, AND A MINIMUM OF 10' CLEARANCE FROM ALL SANITARY SEWERS.
12. OBSTRUCTIONS SHOWN ON THIS PLAN ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CORRECTNESS OF THE INFORMATION GIVEN IS NOT WARRANTED OR GUARANTEED. CONTRACTOR SHALL VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION.
13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK.
BELL TELEPHONE SYSTEM: 539-3500, EXT. 649
LONG DISTANCE CABLE DIVISION: 539-3500, EXT. 553 & 554
BALTIMORE G.P.E.: 535-6000, EXT. 651
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
15. EXISTING GRADES SHALL BE MAINTAINED UNDER THE NEW STRUCTURE. CONTRACTOR SHALL EXCAVATE ONLY FOR COLUMN PIERS. CONTRACTOR TO BACK FILL WITH SELECT MATERIAL AND SHALL REPLACE PAVING TO EXISTING GRADES.
16. PRIOR TO EXCAVATION OF COLUMN PIERS & FOOTINGS CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON THE PLAN.
17. A WAIVER HAD BEEN GRANTED FOR STORM WATER MANAGEMENT. SEE LETTER DATED OCT. 3, 1985.

PLANT CONTROL 						
ETHNOS	SFT	BOTANICAL COMMON NAME	SIZE	SUBSTRATE	MOIST	TY
Had Napi		And. Napi	3' x 2 1/2' Cal.		5	5 5 b
Had Napi		Had Napi				
Watergreen		Barbaria palmarum	18" x 3"		25	50
Barberry		Watergreen Barberry				50
Brackish Marshland		Proserpinaca maritima American Flaccidum	18" x 3"		19	50
						50

1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 228.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15')
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 228.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 30' INSTEAD OF THE REQUIRED 60' (A VARIANCE OF 40')



Q49	• Batted in during
Q.50	• Bare Road
Q.51	• Base
Q.52	• 5 or 9 guine (planted or mowed)
Q.53	• Chaucer
Q.54	• Shump
Q.55	• Suffer
Q.56	• Soothsay
Q.57	• Suburban
Q.58	• Suffer
Q.59	• Deserve
Q.60	• Survive
Q.61	• Rock
Q.62	• Shakespeare Address
Q.63	• Knight
Q.64	• Acquaint
Q.65	• Lower level
Q.66	• Minor
Q.67	• Shump
Q.68	• On ground
Q.69	• Patient in
Q.70	• Opacities
Q.71	• Success
Q.72	• Upper Level

- 3) Major Deciduous Tree
- 2) Minor Deciduous Tree
- 2) Evergreen Tree
- 4) Evergreen Shrub
- 3) Deciduous Shrub
- 5) Groundcover

LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS

1620 CROMWELL BRIDGE ROAD TOWSON, MARYLAND 21204 301-321-5555

1936 RETTMAN LANE

BALTIMORE MARYLAND 212.22

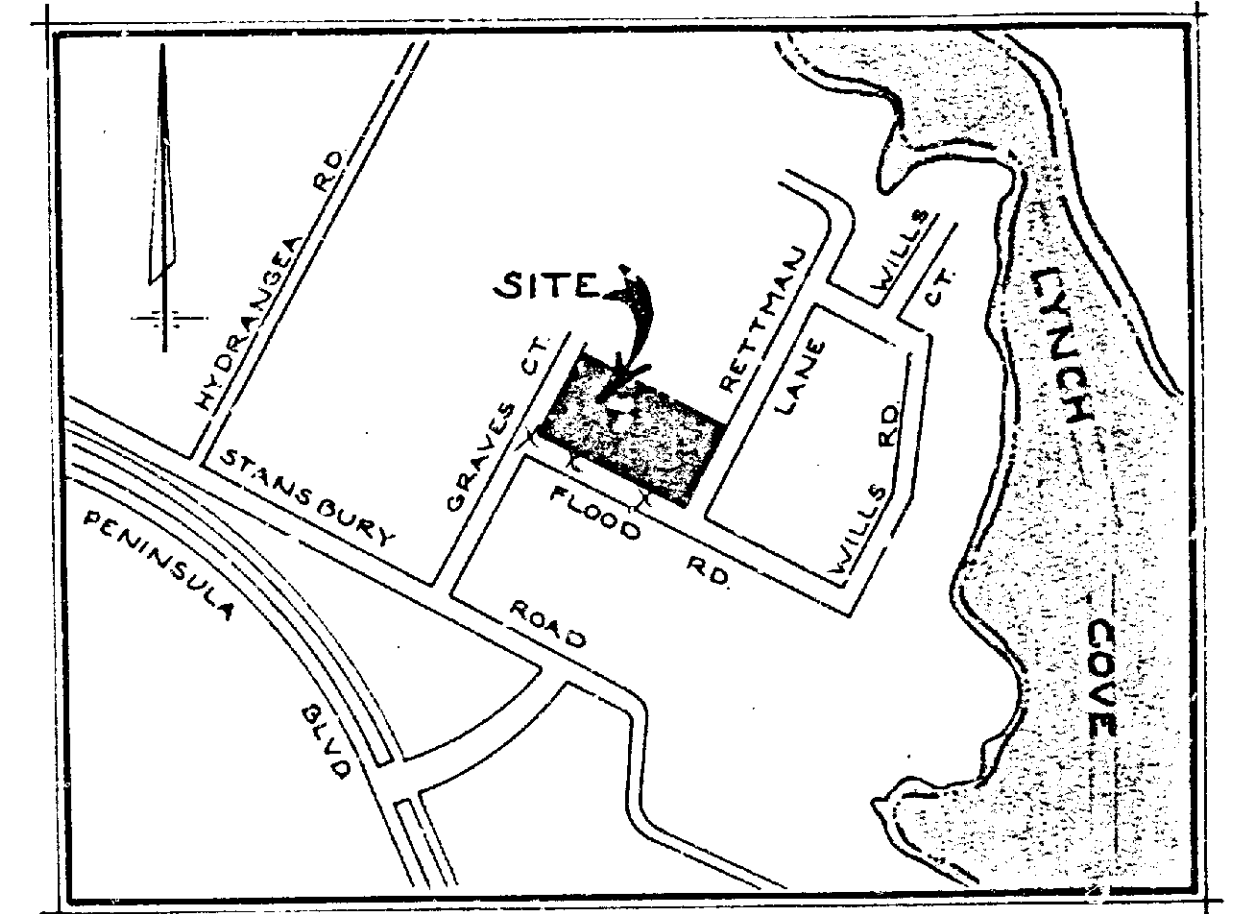
100

BUILDING ADDITION FOR THE OWL CORPORATION

BALTIMORE COUNTY 1936 KELLERMAN LANE MARYLAND

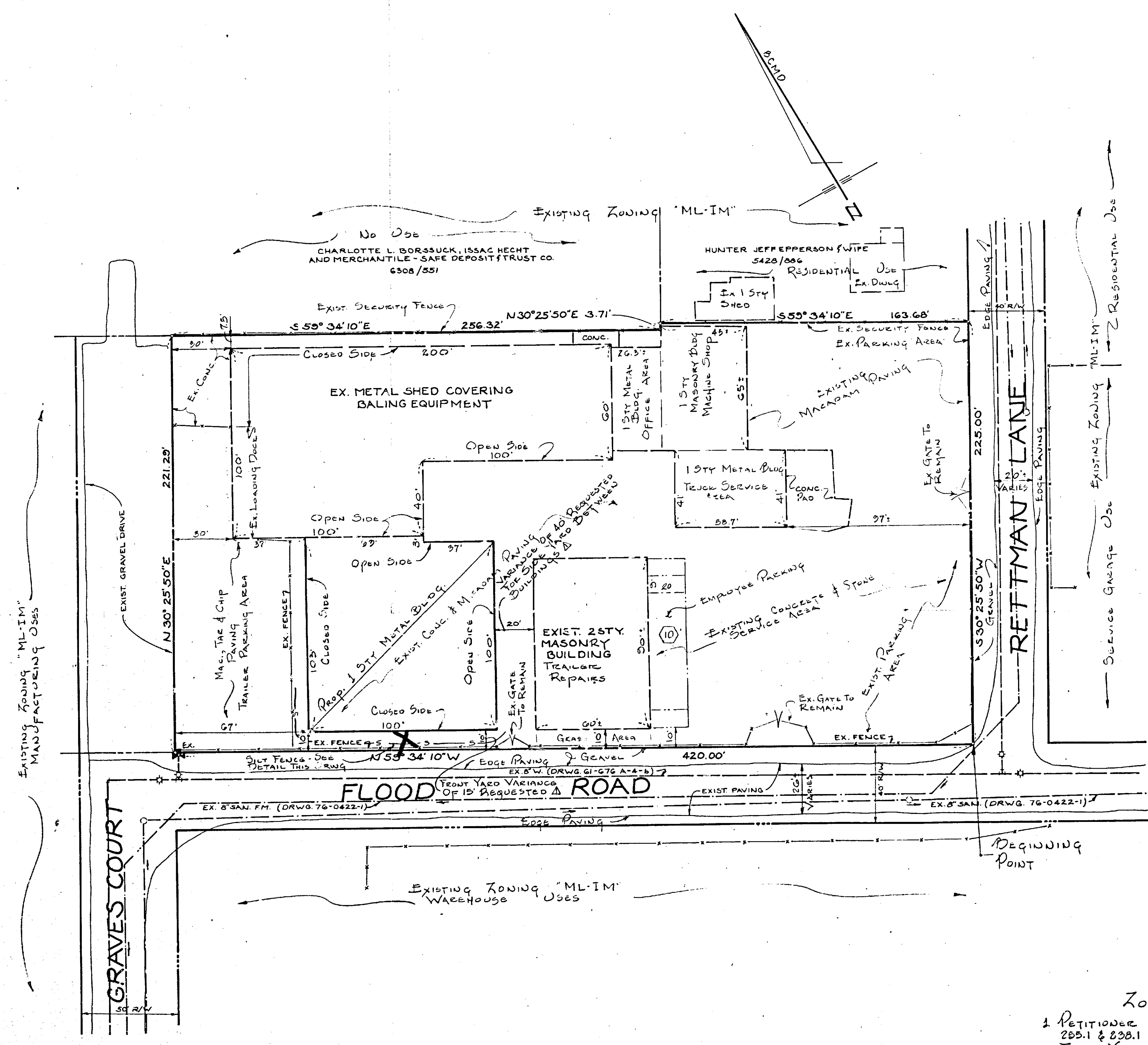
OF SCALE

1	1" x 30'	62137-D
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SCALE: 1" = 500'

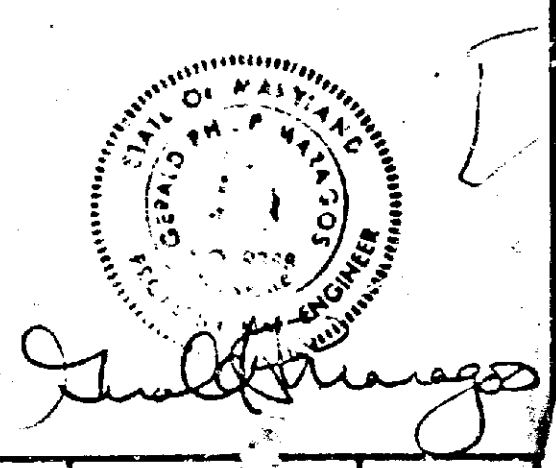
1. NET AREA OF LOT = 2.13 AC.1. GROSS AREA OF LOT = 2.57 AC.1
2. EXISTING ZONING OF PROPERTY "ML-IM"
3. EXISTING USE OF PROPERTY "PAPER BAILING & SHREDDING CO."
4. OFF STREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES = 15
 - B. REQUIRED 5 SPACES (1/3 EMPLOYEES)
 - C. PROPOSED PARKING = 10 SPACES
5. PUBLIC UTILITIES EXIST AT THE SITE.
6. SITE IS LOCATED IN THE LYNCH COVE DRAINAGE AREA.
7. CONTRACTOR TO EXCAVATE FOR LOCATION AND DEPTH OF EXISTING UTILITIES IF REQUIRED.
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10. CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF PROPOSED BUILDING, IF EXISTING AT THE TIME UTILITIES ARE INSTALLED, BY SHEETING, SHORING, OR OTHER SUITABLE METHOD.
11. WATER SERVICE IF REQUIRED TO HAVE A MINIMUM OF 4' COVER FROM GRADE, 6' CLEARANCE FROM STORM DRAINS, AND A MINIMUM OF 10' CLEARANCE FROM ALL SANITARY SEWERS.
12. OBSTRUCTION OF THE CONTRACTOR ONLY FOR THE CORRECTNESS OF THE INFORMATION GIVEN IS NOT WARRANTED OR GUARANTEED. CONTRACTOR SHALL VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION.
13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK.
BELL TELEPHONE SYSTEM: 532-5000, EXT. 649
LONG DISTANCE CABLE DIVISION: 532-5000, EXT. 553-554
BALTIMORE G.F.E.: 532-6000, EXT. 601
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
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17. A WAIVER HAS BEEN GRANTED FOR STORM WATER MANAGEMENT. SEE LETTER DATED OCT. 3, 1985.



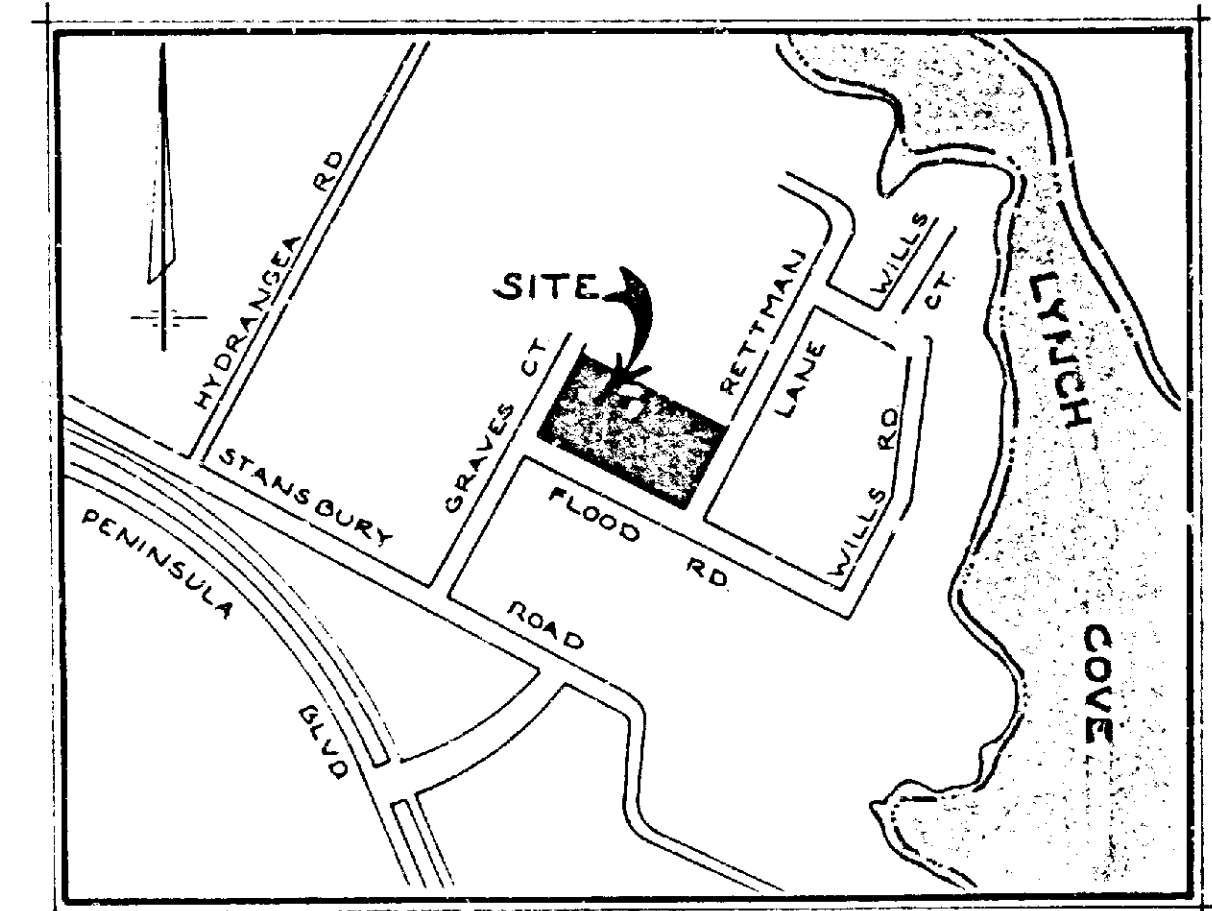
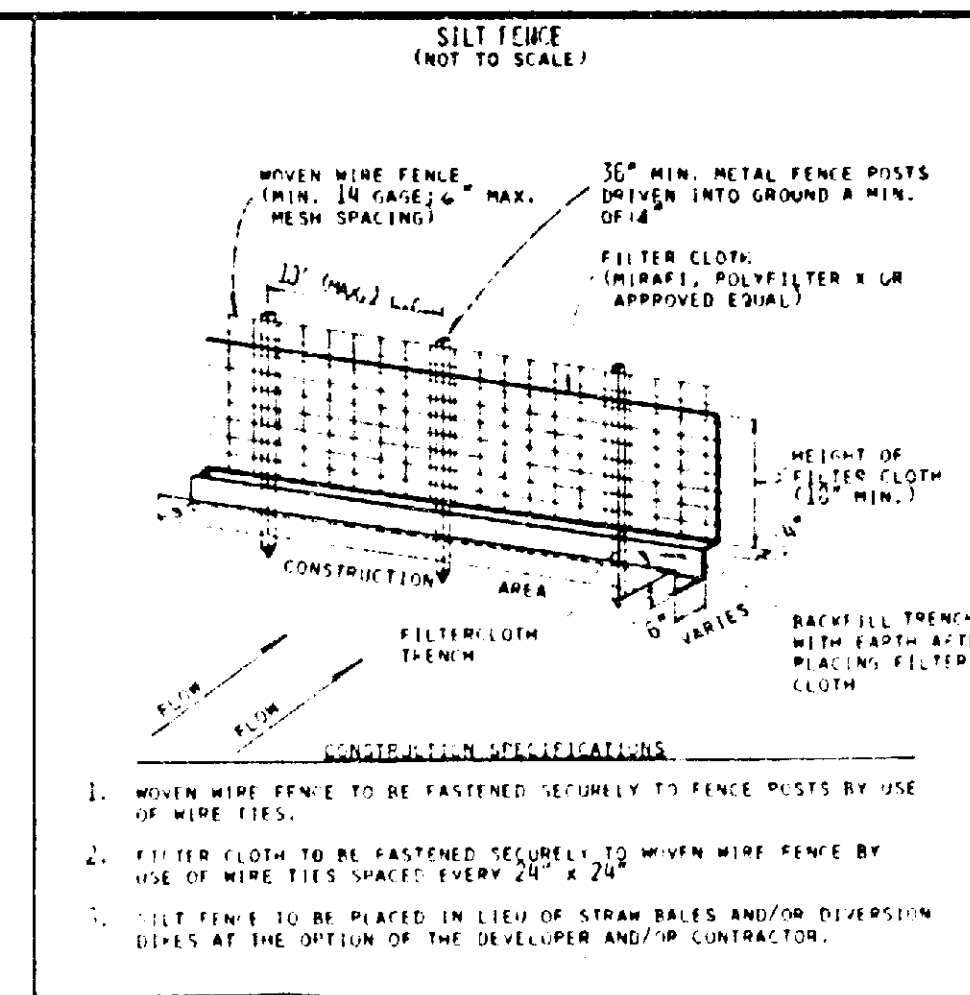
1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 225.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15')
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 225.1 & 225.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 20' INSTEAD OF THE REQUIRED 60' (A VARIANCE OF 40')

#177
1 sign

PETITIONER'S
EXHIBIT 1



Drawing C-D Check RLS Design Check RLS	DATE 10/14/85	REVISIONS Added Note 17 & Notes Requesting YARD VARIANCES A	KIDDE CONSULTANTS, INC. LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS 1020 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204, 301-321-5500	OWNER THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE, MARYLAND 21222 301-282-0066	ELECTION DISTRICT NO 12 COUNCILMANIC DISTRICT NO 7	SITE PLAN BUILDING ADDITION FOR THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE COUNTY, MARYLAND	SHEET 1 OF 1	DATE JUNE 1985 SCALE 1" = 30'	JOB NUMBER 82-137-C
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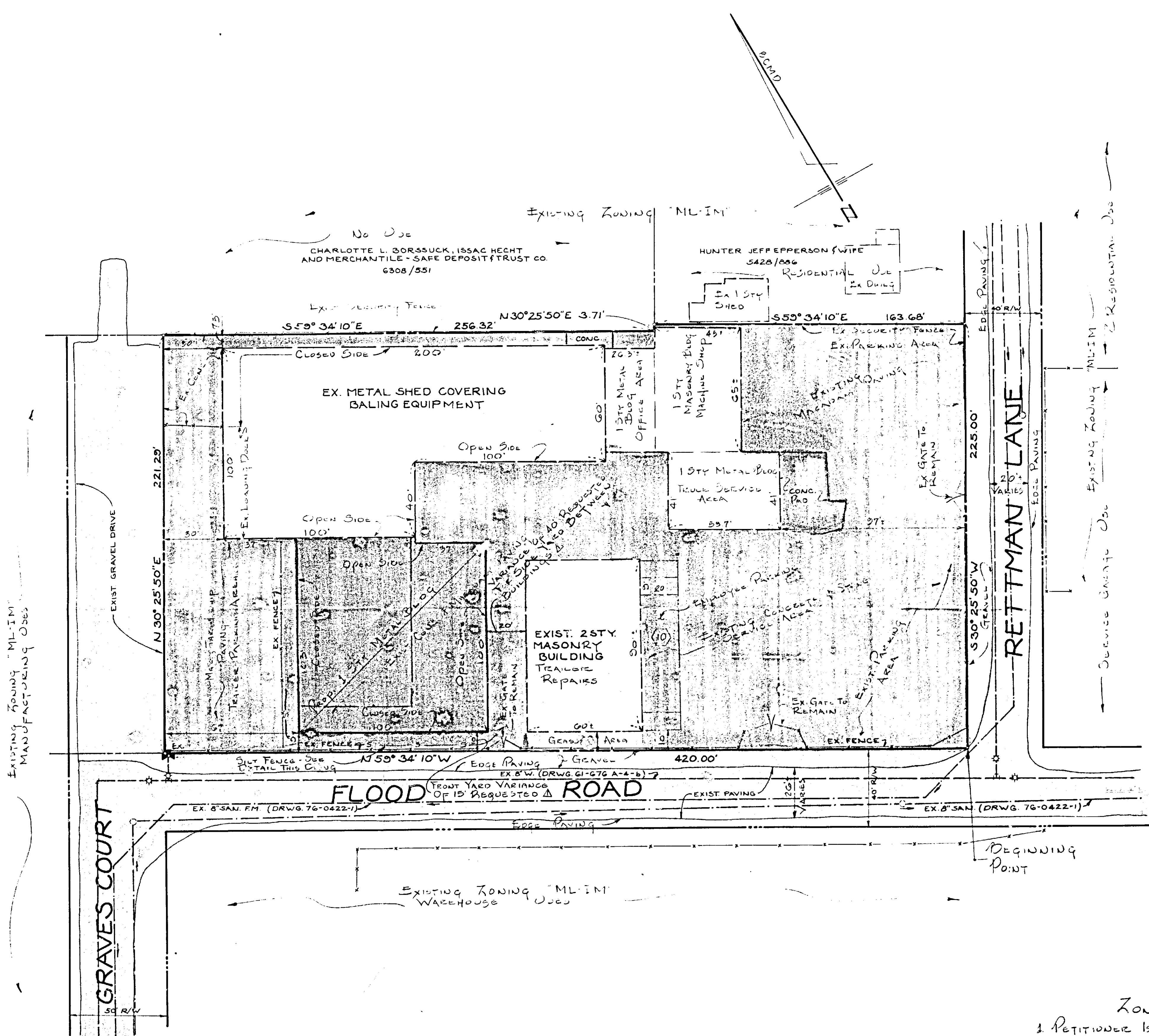


LOCATION MAP
SCALE: 1" = 500'

GENERAL NOTES

1. NET AREA OF LOT - 2.15 AC. GROSS AREA OF LOT - 2.57 AC.
2. EXISTING ZONING OF PROPERTY "ML-1M"
3. EXISTING USE OF PROPERTY PAPER BAILING & SHREDDING CO.
4. OFFSTREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES - 15
 - B. REQUIRING 5 SPACES (1/3 EMPLOYEES)
 - C. PROPOSED PARKING - 10 SPACES
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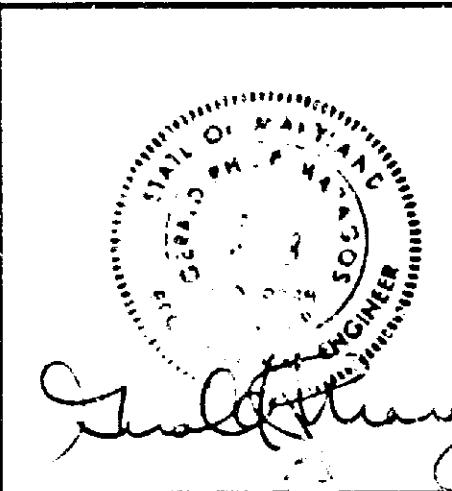
BELL TELEPHONE SYSTEM: 530-0000, EXT. 643
LONG DISTANCE CABLE DIVISION: 530-0000, EXT. 533-5554
BALTIMORE G.F.E.: 530-8000, EXT. 601
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
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17. A WAIVER HAD BEEN GRANTED FOR STORM WATER MANAGEMENT. SEE LETTER DATED OCT. 3, 1985.



ZONING VARIANCES REQUESTED

1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15')
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 20' INSTEAD OF THE REQUIRED 60' (A VARIANCE OF 40')

PETITIONER'S EXHIBIT N° 2



Drafting CD Check RLS Design RLS	DATE 10/14/85 REVISIONS ADDS NOTE 17 & NOTES REQUESTING YARD VARIANCES Δ	KIDDE CONSULTANTS, INC. LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS 1020 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204, 301-321-5500	OWNER THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE, MARYLAND 21222 301-282-0000	ELECTION DISTRICT N° 12 COUNCILMANIC DISTRICT N° 7 SITE PLAN BUILDING ADDITION FOR THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE COUNTY, MARYLAND	SHEET 1 OF 1 DATE JUNE 1985 SCALE 1" = 30' JOB NUMBER 82137-0
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MAP RE-4F
4A
E.D. 12
DATE 12-10-86
200
NO
DE

441#
86-307-A
V-402-78

THE OWL CORPORATION, et al.,
12th Election District
Flood Rd. & Rettman Lane
Baltimore, MD 21204

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
2.1476 ACRE PARCEL
NORTHWEST CORNER FLOOD ROAD AND RETTMAN LANE
BALTIMORE, MARYLAND
EXISTING ZONING "M L I M"
PROPOSED - "YARD VARIANCES"

BEGINNING at the northwest corner of Flood Road and Rettman Lane, running thence binding on the northerly side of said Flood Road (1) North 59 degrees 34 minutes 10 seconds West 420.00 feet, thence binding on the easterly side of Graves Court, if extended, (2) North 30 degrees 25 minutes 50 seconds East 221.29 feet, thence three courses (3) South 59 degrees 34 minutes 10 seconds East 256.32 feet, (4) North 30 degrees 25 minutes 50 seconds East 3.71 feet and (5) South 59 degrees 34 minutes 10 seconds East 163.68 feet to the westerly side of said Rettman Lane, thence binding thereon (6) South 30 degrees 25 minutes 50 seconds West 225.00 feet to the place of beginning.

CONTAINING 2.1476 acres of land.
RWB/lc KCI Job Order No. 01-82137-D October 16, 1985
Work Order No. 9246



**BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3053**

ARNOLD JADLOW
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 11, 1986

John O. Hennegan, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

RE: PETITION FOR VARIANCE
Beginning at the NW corner
of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation, et al.,
Petitioners
Case No. 86-307-A

Dear Mr. Hennegan:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:ibg

Attachments

cc: People's Counsel

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 233.1, 238.1 and 238.2 (102.2) To permit a front setback of 10 feet, instead of the required 25 ft., and a distance between buildings of 20 ft. instead of the maximum required 60 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty in that the existing business is expanding with new accounts. The business can only expand within the outlines of the property it now owns. Additional storage is required and must be located adjacent to the existing paper baling equipment to facilitate the flow of the product through the plant. Without the yard variance the proposed building would only have a storage capacity of 5,100 square feet and would greatly limit the expansion of the business to perform a needed service to the business community of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature: *John O. Hennegan*
Address: *809 Eastern Blvd.*
City and State: *Baltimore*
Attorney's Telephone No.: *686-8274*

Legal Owner(s): _____
(Type or Print Name)
Signature: *Francis Thomas Leyden*
Address: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Francis Thomas Leyden
1936 Rettman Ln., Dundalk, MD 21222
Address: _____ Phone No. 282-0066

ORDERED By the Zoning Commissioner of Baltimore County, this 13th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 18th day of February, 1986, at 10:30 o'clock.

Arnold Jadlow
Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR VARIANCE
Beginning at the NW corner
of Flood Rd. & Rettman Lane
12th Election District
The Owl Corporation,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-307-A

The Petitioner herein requests variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet.

Testimony on behalf of the Petitioner indicated that the Petitioner, who has owned the site since 1978, operates a company which receives scrap paper to be baled and shipped to paper mills for recycling. He proposes to construct a 12-foot high building for the storage of loose and baled paper currently being stored in the open at the same location and causing an unsightly situation when blown through the property and neighborhood. The building will be located with the same front yard setback as an existing two-story building. The site provides no other feasible location for the storage building. With the exception of a few square feet, the site is entirely covered with impervious surfaces. Therefore, the proposed building will not increase runoff from the site. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; and the granting of the requested variances not adversely affect-

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

PETITION FOR ZONING VARIANCES

12th Election District

LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane

DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 60 feet.

Being the property of The Owl Corporation, et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JADLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ing the health, safety, and general welfare of the community, the variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of April, 1986, that the herein Petition for Variances to permit a front yard setback of 10 feet in lieu of the required 25 feet and a distance between buildings of 20 feet in lieu of the maximum required 60 feet, in accordance with the plan prepared by Kidde Consultants, Inc., revised March 10, 1986, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All gates shall open into the site.
2. When any portion of the security fence is replaced, the new fence or live screening must comply with current BCZR. Slat replacements shall be wood.
3. The Petitioner shall provide landscaping as set out on the site plan dated March 10, 1986 within twelve (12) months. In the event that the Petitioner or any subsequent subject purchasers of the Petitioner's property are required to remove the landscaping shown in the right-of-way located on Rettman Lane on said site plan for any reason whatsoever, it shall be the Petitioner's or subsequent purchaser's responsibility to relocate landscaping and/or screening within the property lines of the Petitioner on Rettman Lane within the site outlines as shown on the site plan. White pines may replace the red maples.

Jan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING
DATE April 11, 1986
BY *John A. Bell*

RE: PETITION FOR VARIANCES
Beginning NW/Corner Flood
Rd. & Rettman Lane,
12th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

THE OWL CORPORATION, et al.,
Petitioners

Case No. 86-307-A

ENTRY OF APPEARANCE

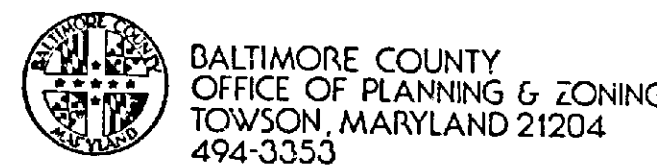
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to Francis Thomas Leyden, Owner, The Owl Corporation, 1936 Rettman Lane, Dundalk, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

Mr. Francis T. Leyden
c/o The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
The Owl Corporation, et al - Petitioners
12th Election District
Case No. 86-307-A

Dear Mr. Leyden:

This is to advise you that \$59.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018480

DATE: 2/11/86 ACCOUNT: R-01-615-000
RECEIVED FROM: Owl Corporation
AMOUNT: \$59.75

FOR: Advertising & Posting - Case No. 86-307-A
B 8045*****5555a 3114F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73241 - Reg. # 184170 - 75 lines @ \$30.00.
was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 31st day of January 1986; that is to say, the same was inserted in the issue of January 30, 1986

Kimbel Publication, Inc.
per Publisher.
By *R.C. Decker*

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 30, 1986.

THE JEFFERSONIAN,
JB Kentz
Publisher

Cost of Advertising
86-307A 24.75

PETITION FOR ZONING VARIANCES
12th Election District
LOCATION: Beginning at Northwest Corner of Flood Road and Rettman Lane
DATE AND TIME: Tuesday, February 18, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit a front setback of 10 feet in lieu of 25 feet and a distance between buildings of 20 feet in lieu of 40 feet, being the property of The Owl Corporation, et al, as shown on plan filed with the Zoning Office.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, upon the submission of said permit, a copy of the minutes of said hearing, and the petition for zoning variance, the petition for zoning variance shall be referred to the Board of Appeals for their consideration and decision. Such request must be received in writing by the date of the hearing or shown in person at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Jan. 30

Chris Cella, Inc.
1342 S.E. 28th Terrace
Cape Coral, Fla. 33904
(813) 485-5500
5-30-85

LETTER NUMBER 86-307-A
PUBLISHED IN THE
DUNDALK EAGLE
ON JANUARY 30, 1986
AT 10:30 A.M.
IN THE MATTER OF
THE PETITION FOR ZONING VARIANCES
OF THE OWL CORPORATION, ET AL
TO PERMIT A FRONT SETBACK OF 10 FEET
IN LIEU OF 25 FEET AND A DISTANCE
BETWEEN BUILDINGS OF 20 FEET IN LIEU
OF 40 FEET, BEING THE PROPERTY OF
THE OWL CORPORATION, ET AL, AS SHOWN
ON PLAN FILED WITH THE ZONING OFFICE.
IN THE EVENT THAT THE PETITION IS
GRANTED, A BUILDING PERMIT MAY BE
ISSUED WITHIN THE THIRTY (30) DAY
APPEAL PERIOD. THE ZONING COMMISSION
WILL, UPON THE SUBMISSION OF SAID
PERMIT, A COPY OF THE MINUTES OF SAID
HEARING, AND THE PETITION FOR ZONING
VARIANCE, THE PETITION FOR ZONING
VARIANCE SHALL BE REFERRED TO THE
BOARD OF APPEALS FOR THEIR CONSIDERATION
AND DECISION. SUCH REQUEST MUST BE
RECEIVED IN WRITING BY THE DATE OF THE
HEARING OR SHOWN IN PERSON AT THE
HEARING.

RE: Mr. & Mrs. Jules Faber
1911 Wills Rd.
Baltimore, Md. 21222

Dear Mr. Faber,

This is to confirm our conversation concerning our previous attempt to market your home at 1911 Wills Rd. from Dec. 11, 1985 to Jan. 25, 1986. Our Marketing efforts included, multiple listing, open house, office tour, classified advertising, posting of "a" for sale sign and the agent's personal promotion of the property.

We felt that your property was in extraordinary condition and should have attracted numerous potential buyers. Unfortunately, the property remained unsold during the listing period. The feedback we received from potential clients proved to be negative mainly because of the trucks and industrial equipment parked in the neighborhood.

My best wishes in your continuing attempt to sell the home. If we can be of further service, please don't hesitate to call us.

Sincerely,
Shirley M. Bluff
Shirley M. Bluff
Office Manager

Pullen & Paul
REALTY, INC.
3011 296-8300
1510 YORK ROAD
LUTHERVILLE, MD. 21088

May 30, 1985

Mr. & Mrs. Faber
1911 Wills Road
Baltimore, Maryland 21222

Dear Mr. & Mrs. Faber:

Regarding your property located at 1911 Wills Road, Baltimore County which has been listed for sale by Pullen & Paul Realty, Inc. Multiple Listing 1144-BI-02 and I, Steve M. Burdett as your sales agent.

I have had four open houses held on Sundays and have shown the property to at least twelve prospective buyers. The main reason your property has not sold is the fact that it is situated in an industrial area. The women do not find the area appealing and are afraid to drive thru the neighborhood after dark.

We have made every marketing effort to secure a buyer and it is our opinion that the industrial trucks and heavy equipment which is stored in front of the property and parked on the shoulders of Flood Road, is the main de factor from securing a buyer for your property.

Sincerely,
PULLEN & PAUL REALTY, INC.
Steve M. Burdett
Steve M. Burdett
5/30/85

Mr. Francis Thomas Leyden
The Owl Corporation
1936 Rettman Lane
Dundalk, Maryland 21222

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ NW/Cor. Flood Rd. and Rettman Lane
Petitioners: The Owl Corporation, et al.
Case No. 86-307-A

TIME: 10:30 a.m.

DATE: Tuesday, February 18, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012830

DATE: 1/17/86 ACCOUNT: 01-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: Owl Corporation
FOR: Variance # 177

B 8123*****1220a 5076F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

OCT 9 1985

KIDDE CONSULTANTS
1000 Cromwell Bridge Road
Towson, Md. 21204

October 3, 1985

82137-0

Kidde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

Reference: Owl Corporation
Storm Water Management Waiver Request

Gentlemen:

We have reviewed the subject waiver request and recommend approval in that it meets the criteria of Section 2-150 3. (c) (1).

Very truly yours,
James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:CLW:nt

cc: E.A. McDonough
T. Vidmar
T. Ernst
S. Carrell
R. Dills
file

PETITIONER'S
EXHIBIT 3

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
904-3211

NORMAN E. GERDER
DIRECTOR

OCT 21 1985

CONSULTANTS
1000 CROMWELL BRIDGE ROAD
TOWSON, MD. 21204

October 18, 1985

Richard L. Smith
1020 Cromwell Bridge Road
Towson, Maryland 21204

Re: Owl Corporation
1936 Rettman Lane
W-85-148

Dear Mr. Smith:

We have reviewed your waiver application for the above property and have determined that a waiver for the Standards (roads, curb, gutter and sidewalks) would be within the scope, purpose and intent of the Development Regulations of Baltimore County and is therefore approved. This development shall comply with all other applicable laws, rules and regulations of Baltimore County (Section 22-51).

Should you have questions please contact Susan Carrell at 499-3335.

Sincerely,

Norman E. Gerder
Norman E. Gerder
Director of Planning and Zoning

NEG:rh

cy: Susan Carrell
James A. Markle
Edward A. McDonough
file

PETITIONER'S
EXHIBIT 4

BALTIMORE COUNTY, MARYLAND
HUNTER EPPERSON and
JULES FABER

Appellants

vs.

ARTHUR J. STEINER,
OWL CORPORATION,
ALBATROSS CONTAINER SERVICES,
UNIVERSAL TRUCKING OF DUNDALK, INC.,
and JAMES ROSHATSKY

Appellees

Re: ALLEGED ZONING VIOLATION
1936 Rettman Lane
12th Election District

BOARD OF APPEALS FOR BALTIMORE
COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Case No. 82-M-320
14/325

MEMORANDUM OPINION AND ORDER

This is an appeal from the Baltimore County Board of Appeals, brought by Baltimore County and two Complainants, Jules Faber and Hunter Epperson, pursuant to Section 604 of the Baltimore County Charter. The Board of Appeals overturned a ruling by the Deputy Zoning Commissioner who had found that the Appellees were in violation of the zoning laws by operating a trucking facility on the subject property, 1936 Rettman Lane. On appeal from the Deputy Commissioner's ruling, the Board of Appeals found that a non-conforming use had been established. Feeling aggrieved by that decision, the County and several Complainants seek review by this Court.

Prior to the hearing before the Board of Appeals, Baltimore County and the Appellees (Arthur J. Steiner, et al) stipulated to certain factual issues. Based on the stipulation that the use involved pre-dated the passage of County Council Bill No. 218-80, the Board found that a legal non-conforming use existed.

Baltimore County argues in its Petition for Appeal that the Board erred in finding that a non-conforming use exists on the subject property. It is contended that the use cannot be a valid non-conforming one since it was not a legal use until the passage of Bill No. 218-80. At the hearing before this Court, however, the parties stipulated that the issues of the legality of the use and the applicability of Bill No. 218-80 have been previously litigated in the case of Baltimore County, MD v. H. S. Sullivan, Agent, and Albatross Container Services, Inc., Re: Alleged Zoning Violation; Stansbury Road, 12th District, Misc. No. 7682/13/332, wherein this Court decided those issues adverse

to Baltimore County. This Court finds, accordingly, that those issues have in fact been previously resolved, and that the H. S. Sullivan case is controlling.

In light of the above, it is this 17th day of June, 1983, by the Circuit Court for Baltimore County,

ORDERED that the decision of the Board of Appeals, granting the Appellees a non-conforming use at 1936 Retman Lane, be and is hereby AFFIRMED. Any costs are to be paid by the Appellants.

A. Owen Hennegan
Judge

Case No. 86-307-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 13th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner The Owl Corporation
Petitioner's Attorney

Received by: James E. Dyer, Jr.
Chairman, Zoning Plans
Advisory Committee

LAW FIRM
Remath, Lenth, Hennegan & Fox

GERMANIA FEDERAL BUILDING
400 EASTERN BOULEVARD
TOWSON, MARYLAND 21204
TELEPHONE (301) 841-2874

ROBERT J. ROMAN
JOHN E. GOTTWINE
JOHN O. HENNEGAN
CHARLES E. POSE, III
DONALD E. BRAND

March 17, 1986

Jean M.H. Jung, Deputy Zoning Commissioner
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204-0754

Re: Owl Corporation

Dear Ms. Jung:

Enclosed you will find copy of site plan which points out the recommended land scaping to be done on the site. We would respectfully request nine months in order to comply with the proposed land scaping as set out.

If you have any questions concerning this matter, please do not hesitate to contact me.

JED:kb
Enc.
cc: Francis Thomas Leyden

IN THE MATTER OF:
Case No. 86-307-A
BEFORE THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Appellants

vs.

THE PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY AND THE COUNTY BOARD OF
APPEALS FOR BALTIMORE COUNTY

MEMORANDUM OPINION AND ORDER

This is an appeal from a decision of the Baltimore County Board of Appeals by Arthur Steiner & Borssuck Estate and the Owl Corp. (Appellants), pursuant to §604 of the Baltimore County Charter, denying a special zoning exception for a service garage. This Court has reviewed the entire record below, together with the transcripts, exhibits and memoranda.

The subject property is located in the Twelfth Election District at 1936A Flood Road, which is approximately thirty-six (36) feet northwest of Retman Lane. The entire area of the subject property is approximately 2.1476 acres and all of this subject area is zoned MR-1M.

The Petitioners/Appellants seek a special exception for 0.19 acres of the subject property. It is their intention to lease this property to a separate service garage operator. The Petitioners proposed that the service garage use would be limited to body and fender repairs for automobiles and for trucks that do not exceed 3/4 ton in size. The Petitioners also offered to limit the hours of operation and noted that all work would be performed inside the existing building.

The Appellants urge that the decision of the County Board of Appeals be reversed, permitting the special exception. The Appellants argue correctly that the special exception enjoys a presumption of validity absent some fact or circumstance negating the presumption. However, the Board found as a matter of fact that the granting of the special exception would tend to cause congestion on the road leading into the area. The Board based this finding on testimony, photographs and the fact that the subject property is situated on a peninsula with only one road providing a means for ingress and egress.

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Case No. Misc. 7401/13/51

MEMORANDUM OPINION AND ORDER

In light of the fact that the County Board of Appeals is a fact-finding body, this Court is powerless to overturn a Board decision unless it is arbitrary, capricious or clearly erroneous. Section 502.1 of the Baltimore County Zoning Regulations states that before any special exception may be granted, it must appear that the use for which the special exception is requested will not tend to create congestion in roads, streets or alleys. Since there was evidence supporting the fact that said special exception may affect congestion in the area, the Board's ruling was not clearly erroneous and will therefore be upheld.

For all of the foregoing reasons, and having found that the Baltimore County Board of Appeals was not arbitrary and capricious, it is this 2nd day of June, 1983, ORDERED that the decision of the Baltimore County Board of Appeals, denying the special zoning exception, be and is hereby AFFIRMED. Appellants to pay the costs.

A. Owen Hennegan, Judge

12-1517
February 6, 1986
FEB 13 1986
ZONING DEPARTMENT
Mr. Julius Faber
1142 S.W. 25th Terrace
Case Total, # 33904
Mr. Arnold Jablon
Zoning Commissioner
110 Chesapeake Ave.
Towson, Maryland 21204
Subject: Zoning Variance.
THE OWL CORP. 86-307-A
TUES. 10:30 A.M.
By Dear Sir:
Am sending you two very, very, very good reasons why said variance should not be issued. In the past, I and some other residents have been at variance with this very ambitious owl (corporation) since said owl impeded it's talons into this area of, yonch Cove. A former beautiful area which was designated as, No (rural) and now designated as, M-1 because of an urban renewal program by certain ambitious politicians and their befallows \$22-000.
This very small acreage (2.3) is not owl property but is leased from Mr. Arthur J. Steiner & Borssuck Estate of, Annapolis. Yes, this wise old owl (corporation) from, Prince George's County, (Upper Marlboro) has invaded this territory (area) with it's \$115,000,000 and unscrupulous lawyer who has misrepresented the facts in Case no. 86-307-A, while I was at sea. Please note that litigation case of Baltimore County, Md. v. H.S. Sullivan, As nt, and Albro's Container Services, Re: Alleged zoning violation; Steiner Road Apples to said owl and not to the Owl Corporation at 1936 Retman Lane. A direct misrepresentation of the facts.
Please note, Case No. 80-56-A by People's Council & County Board of Appeals and date of same. Judge Hennegan awarded me in our favor and at the same time within a matter of days made a decision on misrepresented facts of which he had ample proofs to the contrary.
Incidentally, Case no. 82-320 (misrepresented by a professional lawyer) while I was at sea gave the victory to this Owl. And also incidentally, Case no. 80-56-X was have saved my life as I was to report back to my ship, the, during a storm which was lost off the Virginia-Car. story later.
I am to be in Baltimore, April 1st, this year to perhaps auction off our property to the highest bidder. At that time, I could appear at the hearing that you may designate. I would like to face the above lawyer and pose the above misrepresentation as fact. It is within your power to meet one said intended hearing and date to above stipulated date of April 1st. Sincerely, Julius Faber
Seafarer

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

February 6, 1986

Chairman

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Baltimore, Md. 21222

RE: Item No. 177 - Case No. 86-307-A

Dear Mr. Leyden:

Enclosed please find additional comments submitted after my original comments of January 22, 1986.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hsc

Enclosures

cc: Kilde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Md. 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 22, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Francis T. Leyden
The Owl Corporation
1936 Retman Lane
Dundalk, Maryland 21222

RE: Item No. 177 - Case No. 86-307-A
Petitioner - The Owl Corporation
Variance Petition

Dear Mr. Leyden:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Kilde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GENDER
DIRECTOR

JANUARY 24, 1986
(CRITICAL AREA)

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

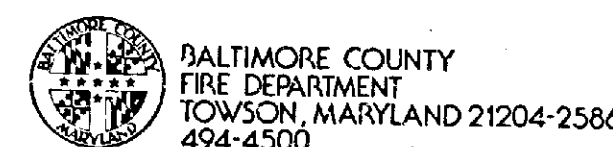
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) The parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on January 22, 1986.
- (X) A map showing the location of the property is attached to the petition.
- (X) The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
- (X) The property is located in a deficient service area as defined by Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area as defined by Capacity Use Certificate has been issued.
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THE SITE IS LOCATED IN THE CHESAPEAKE CRITICAL AREA AND IS SUBJECT TO ADDITIONAL RESTRICTIONS IMPOSED BY THE COMPLEMENTARY PLANNING DIVISION.

cc: James Howell

Norman E. Gender
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

November 22, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: The Owl Corporation (possible critical area)

Location: NW corner Flood Road and Reisman Lane

Item No.: 177 Zoning Agenda: Meeting of November 19, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in Flood Road' accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 16, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 177 Zoning Advisory Committee Meeting are as follows:

Property Owner: The Owl Corporation (possible critical area)
Location: NW corner Flood Road and Reisman Lane
District: 12th.

APPLICABLE ITEMS ARE COMMENTED:

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-85 - 1980) and other applicable Codes and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

() All the Groups except 5-4 Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. See the Groups require a one hour wall if closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008, and Table 1008. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

() When filing for a required Change of Use/Nonconforming Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from the _____ to the _____ or to Mixed Use _____ See Section 312 of the Building Code.

() The proposed project appears to be located in a Flood Plain, Flood/Hazardous. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

() See the attached page of comments.

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If detailed information is required, please contact the Office of Planning and Zoning by visiting Room 122 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

By: *[Signature]*
C. E. Burnham, Chief
Building Plans Review

1/22/85

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: December 16, 1985

FROM: C. E. Burnham, Chief, Building Plans Review C-2

SUBJECT: Item #177 Zoning Advisory Committee

1) There is insufficient information on the plan submitted to provide any accuracy or detailed comment as to the Building Code. I will make the following observations of the plan.

A. The type of materials being bailed will have a direct bearing on the construction of the proposed addition.

If the materials being bailed are combustible such as paper, the area would be classified as high hazard use as per Section 306 and Table 306.2. If it is other materials such as a non-combustible, the area would be classified as S-1 or factory use as per Section 301.1 also 313.2.

B. Section 1702.0 will require areas over 12,000 square feet of factory or storage area to be sprinklered by an approved system.

C. A firewall separation between the metal building used for bailing equipment and the wood frame adjoining structure should be in place now due to the various construction classifications. See Section 101.0. See Table 501 for permissible areas for various types of construction and use.

D. See definitions page 29 "Fire Separation, Exterior Fire Exposure" on applying the setback distances which help to control the types of construction materials permitted under Table 401 and permissible areas under Table 501. See also Section 101.0 for opening protectives between adjoining buildings and interior lot lines.

E. It would appear the registered in Maryland architect/engineer of record may want to discuss this project further. If so he may call 494-3987 for an appointment.

CEB/vw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 13, 1986

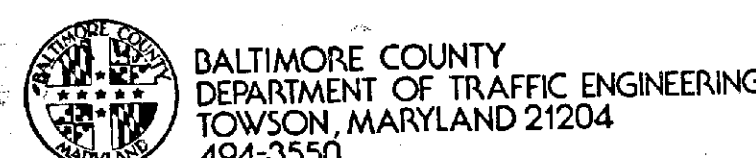
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-307-A and 86-315-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG/JGH:slm



STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 177 -ZAC- Meeting of November 16, 1985
Property Owner: The Owl Corporation (POSSIBLE CRITICAL AREA)
Location: NW corner Flood Road and Reisman Lane
Existing Zoning: N.L. - L.M.
Proposed Zoning: Variance to permit a from setback of 10' instead of the required 25' and a distance between buildings of 20' instead of the maximum required 60'

Acres: 2.1476
District: 12th

Dear Mr. Jablon:

The Department has reviewed the site plan and has the following comments:

1. Curb & gutter should be provided along the entire frontage of the site.
2. The entrances fails to meet county standards for trucks.
3. All gates must be 60' from the edge of the paving.

[Signature]
Michael S. Fladigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 10, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Chesapeake Critical Area Review - Raymond Porter, et ux (86-307-A);
SUBJECT: The Owl Corp. (86-307-A); B.W. Pierce, Jr., et ux (86-324-A);
A.F. Surguy, et ux (86-324-A); and H. Horney (86-315-A)

In regard to the Porter, et ux and the Owl Corp., it has been determined that these two petitions are consistent with the requirements of Critical Area statute without the need of mitigative or other management practices.

The H. Horney petition involves a wooded site with a number of specimen trees. This petition will be deemed to meet the requirements of the Critical Area statute, if as many trees as possible are conserved; this would require a simple plan showing the existing trees and indicating which ones are to be retained. In addition, a plan to protect the trees during construction is necessary. As a minimum, each lot should contain four major deciduous trees or eight conifers or 16 minor deciduous trees. Existing trees that are retained on-site can be utilized toward meeting this requirement. This tree allocation is based on 2,400 feet of area suitable for tree planting. At the petitioner's discretion, any six or combination of plantings would be appropriate based on the formula of one major deciduous or two conifers or four minor deciduous trees for every 600 square feet of area.

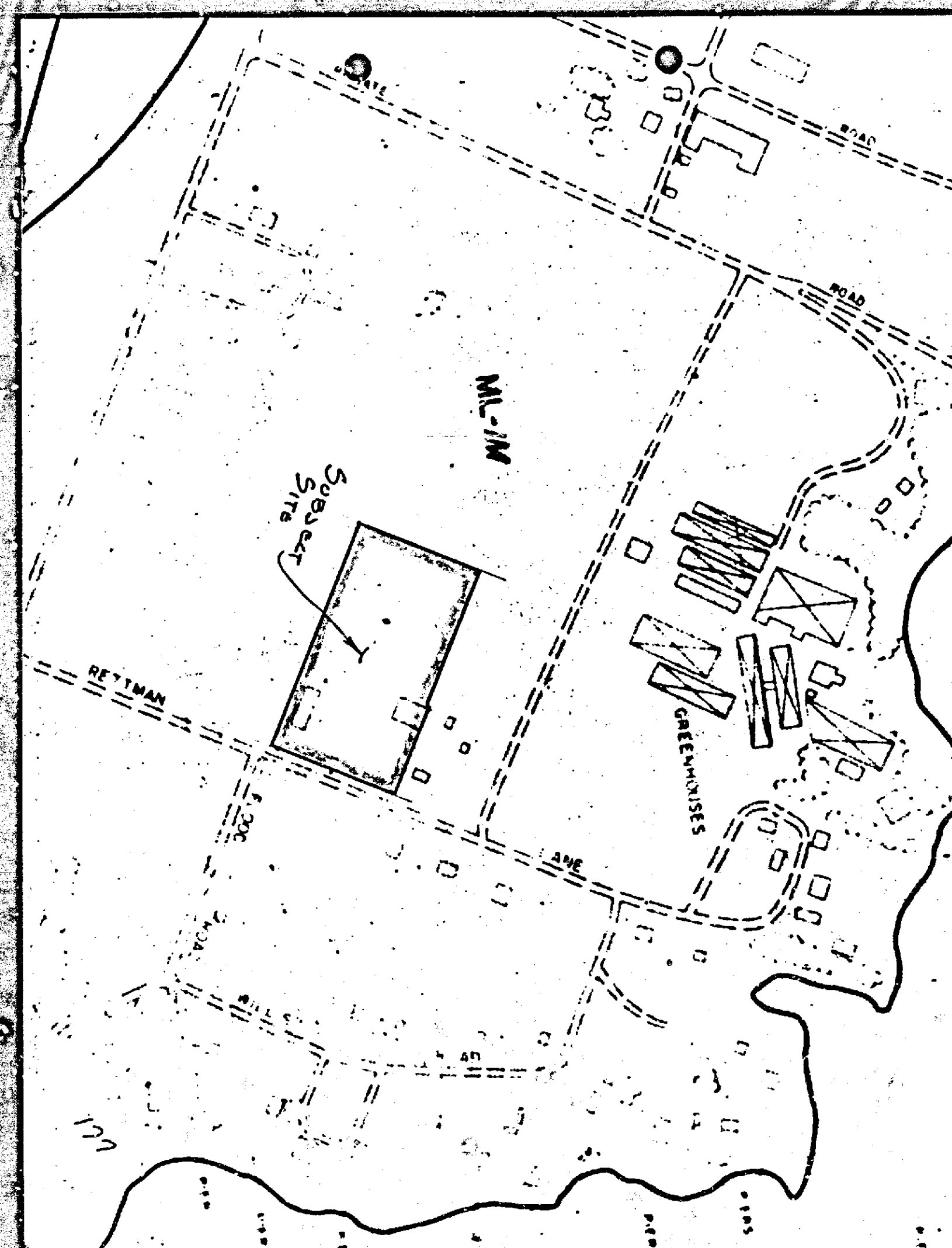
The petitions of B. W. Pierce, Jr. and A. F. Surguy, et ux involve lots which are predominately or entirely clear of trees. With regard to the B. W. Pierce, Jr. petition, it has been determined that a combination of six large deciduous or 12 conifers or 24 small deciduous trees be planted based on an area of 3,600 square feet suitable for tree planting.

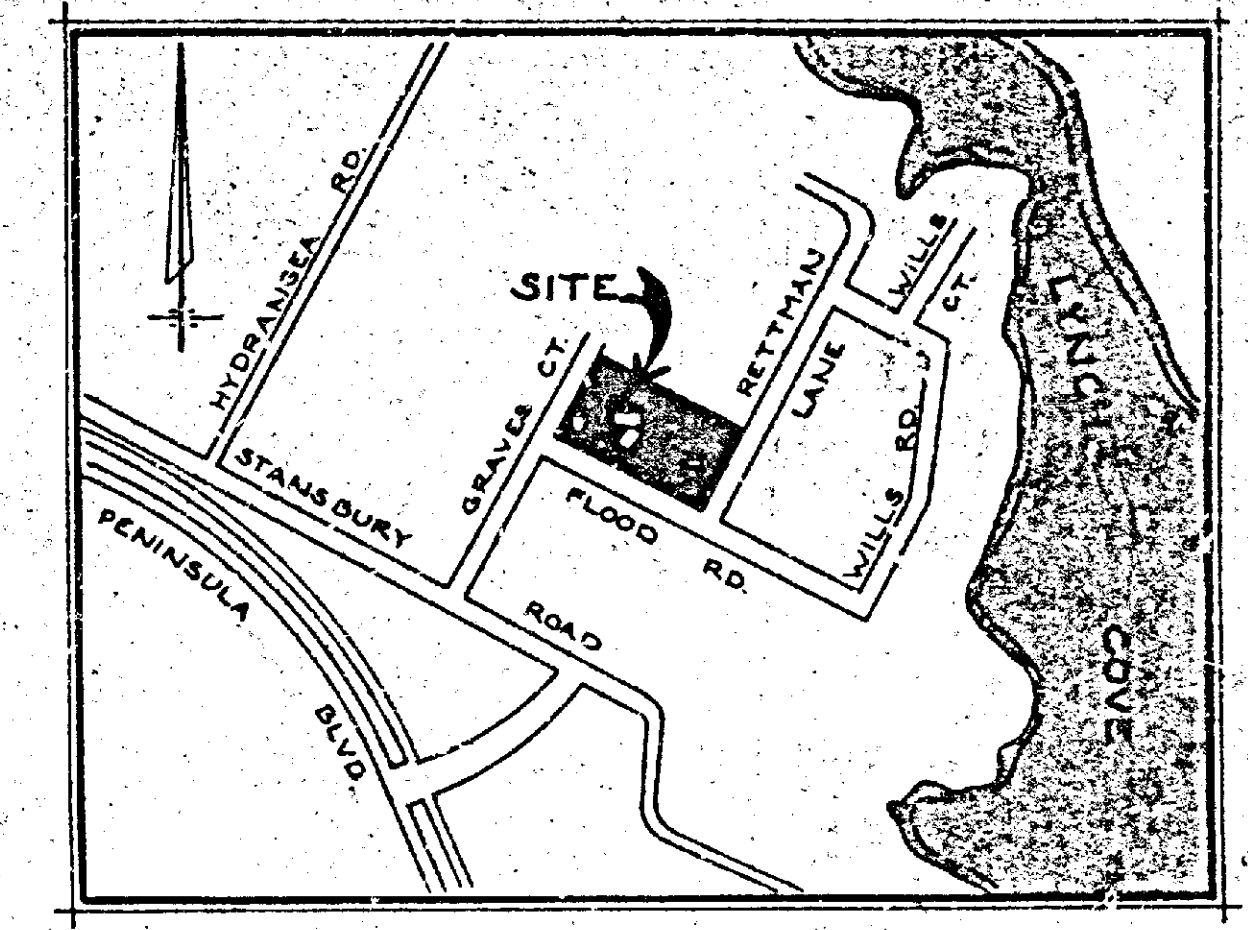
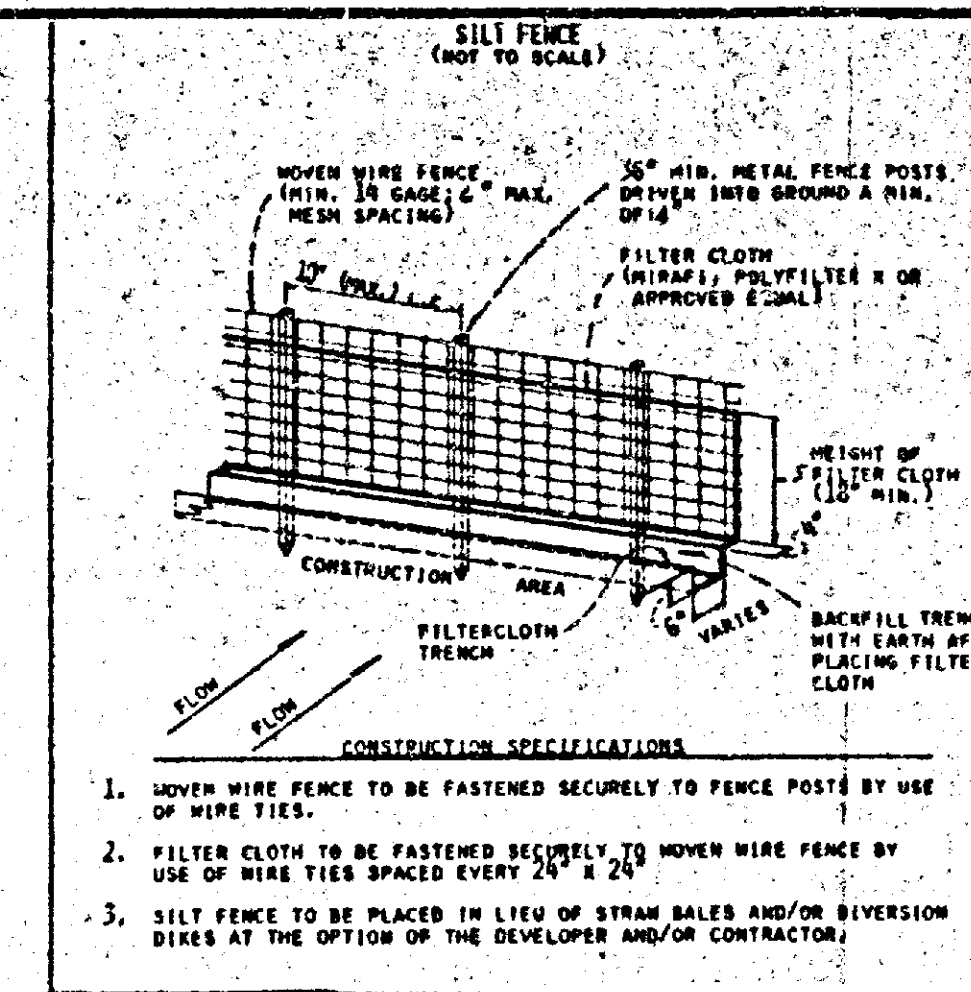
In regard to the A. F. Surguy petition, it is recommended, based on area suitable for tree planting of 600 square feet, that one major deciduous or two conifers or four minor deciduous trees be planted on each lot.

In regard to the H. Horney, B. W. Pierce, Jr., et ux and Surguy, et ux, petitions, it is recommended that infiltration of runoff from the lots' impervious surfaces be maximized by directing such runoff over the largest permeable area possible toward a suitable offsite location. This is greatly preferred as compared to outletting runoff directly onto walks, driveways or streets.

NEG/PJS/sf

cc: Mr. Tom Vidmar, Bureau of Engineering
People's Counsel
Ms. Jean M. H. Jung
Mr. J. Roswell
Ms. Andrea J. Van Arsdale

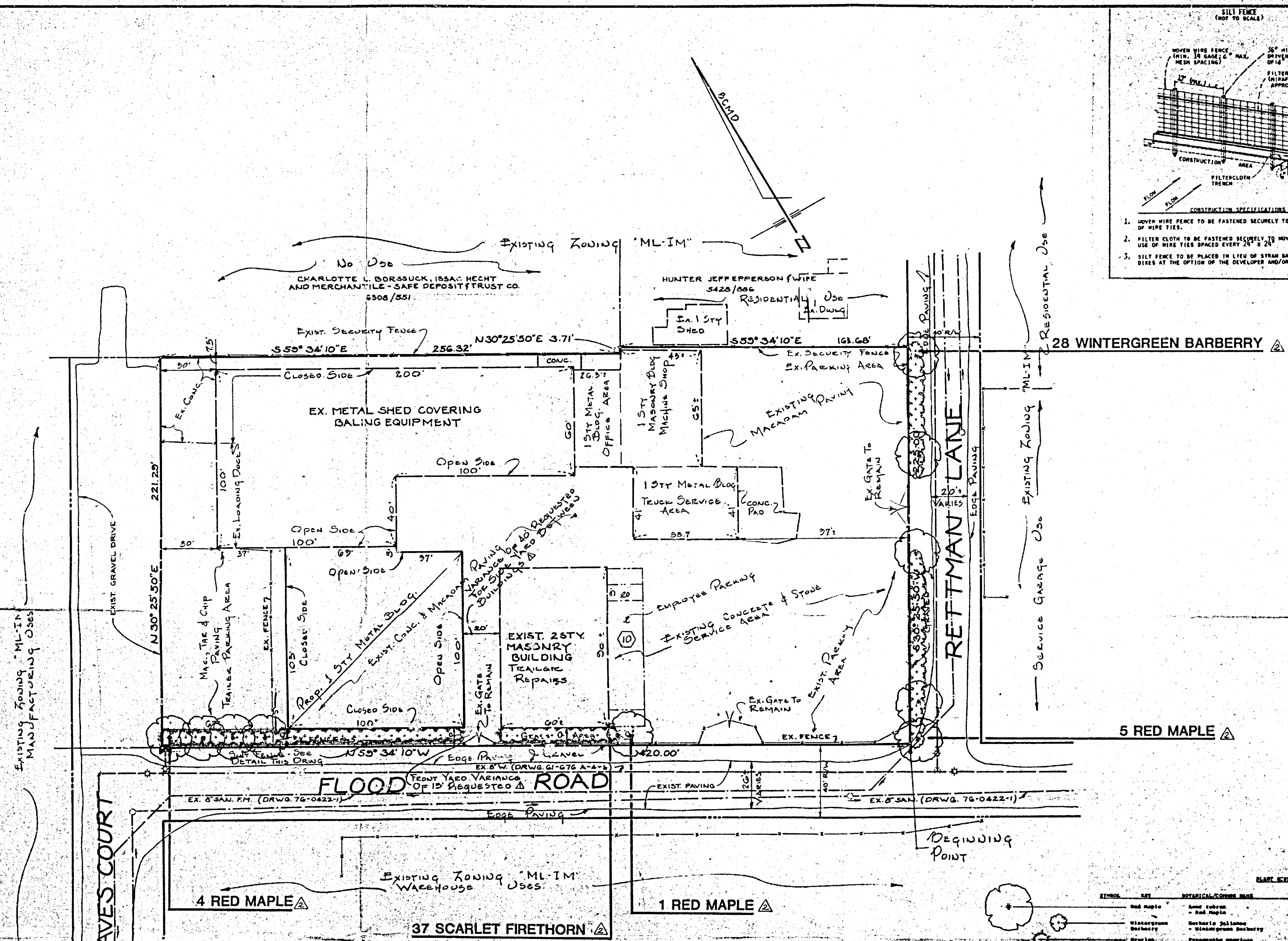




LOCATION MAP
SCALE: 1" = 500'

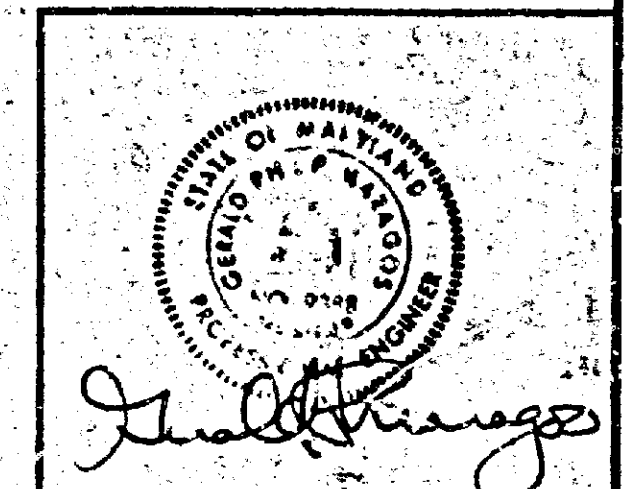
GENERAL NOTES

1. NET AREA OF LOT - 2.15 AC. GROSS AREA OF LOT - 2.57 AC.
2. EXISTING ZONING OF PROPERTY "ML-IM"
3. EXISTING USE OF PROPERTY "PAPER BAILING & SHREDDING CO."
4. OFF-STREET PARKING DATA:
 - A. NUMBER OF EMPLOYEES - 15
 - B. REQUIRED 5 SPACES (1/5 EMPLOYEES)
 - C. PROPOSED PARKING - 10 SPACES
5. PUBLIC UTILITIES EXIST AT THE SITE.
6. SITE IS LOCATED IN THE LYNCH COVE DRAINAGE AREA.
7. CONTRACTOR TO EXCAVATE FOR LOCATION AND DEPTH OF EXISTING UTILITIES IF REQUIRED.
8. ALL ON-SITE UTILITIES TO BE BUILT UNDER BALTIMORE COUNTY PLUMBING CODE AND SPECIFICATIONS AND BY A QUALIFIED UTILITY CONTRACTOR, IF REQUIRED.
9. CONSTRUCTION SHOWN ON THIS PLAN IS NOT TO BE COMMENCED BEFORE OBTAINING ALL REQUIRED PERMITS.
10. CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF PROPOSED BUILDING, IF EXISTING AT THE TIME UTILITIES ARE INSTALLED, BY SHEETING, SHORING, OR OTHER SUITABLE METHOD.
11. WATER SERVICE IF REQUIRED TO HAVE A MINIMUM OF 4.0' COVER FROM GRADE, 6" CLEARANCE FROM STORM DRAINS, AND A MINIMUM OF 10' CLEARANCE FROM ALL SANITARY SEWERS.
12. OBSTRUCTIONS SHOWN ON THIS PLAN ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CORRECTNESS OF THE INFORMATION GIVEN IS NOT WARRANTED OR GUARANTEED. CONTRACTOR SHALL VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION.
13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK:
 - BELL TELEPHONE SYSTEM: 535-5500, EXT. 645
 - LONG DISTANCE CABLE DIVISION: 535-5500, EXT. 553
 - BALTIMORE & F.E.: 535-6000, EXT. 691
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
15. EXISTING GRADES SHALL BE MAINTAINED UNDER THE NEW STRUCTURE. CONTRACTOR SHALL EXCAVATE ONLY FOR COLUMN PIERS. CONTRACTOR TO BACKFILL WITH SELECT MATERIAL AND SHALL REPLACE PAVING TO EXISTING GRADES.
16. PRIOR TO EXCAVATION OF COLUMN PIERS & FOOTINGS CONTRACTOR SHALL INSTALL SILT FENCE AS SHOWN ON THE PLAN.
17. A WAIVER HAS BEEN GRANTED FOR STORM WATER MANAGEMENT. SEE LETTER DATED OCT. 3, 1985.



ZONING VARIANCES REQUESTED

1. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.1 OF THE ZONING REGULATIONS TO ALLOW A FRONT YARD SETBACK OF 10' INSTEAD OF THE REQUIRED 25' (A VARIANCE OF 15').
2. PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 255.1 & 258.2 OF THE ZONING REGULATIONS TO ALLOW A SIDE YARD BETWEEN BUILDINGS OF 20' INSTEAD OF THE REQUIRED 60' (A VARIANCE OF 40').



KIDDE CONSULTANTS, INC.
LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS
1620 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204 301-321-5500

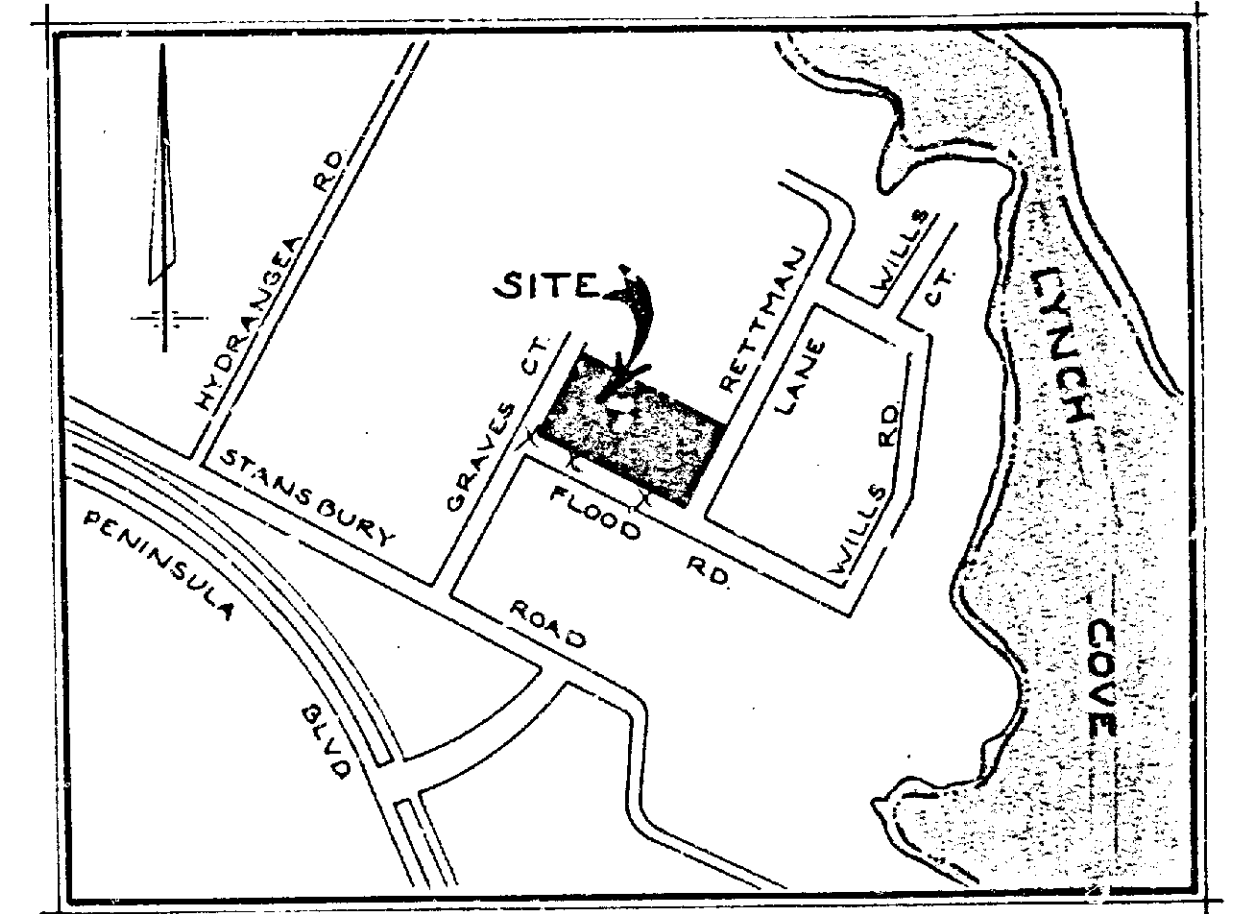
OWNER
THE OWL CORPORATION
1936 RETHMAN LANE
BALTIMORE, MARYLAND 21222
301-282-0000

ELECTION DISTRICT NO. 12
COUNCILMANIC DISTRICT NO. 1

SITE PLAN
BUILDING ADDITION FOR THE OWL CORPORATION
1936 RETHMAN LANE
BALTIMORE COUNTY, MARYLAND

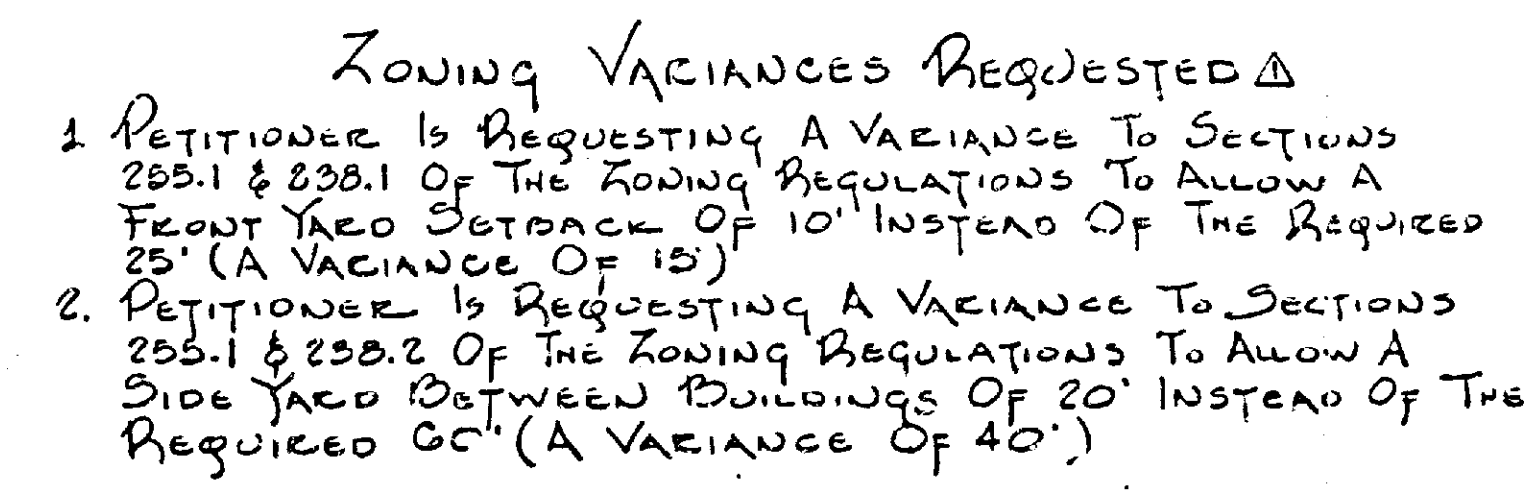
SHEET 1 OF 1
DATE: JUNE 1985
SCALE: 1" = 30'
JOB NUMBER: 82137-D

CD	DATE	REVISIONS
CD 21.5	10/14/85	Added Note 17 & Notes Requesting VARIANCES
CD 21.6	11/10/86	Added Landscaping Along Flood Rd & RETHMAN LANE
CD 21.5		RETHMAN LANE



SCALE: 1" = 500'

1. NET AREA OF LOT = 2.13 AC.1. GROSS AREA OF LOT = 2.57 AC.1
2. EXISTING ZONING OF PROPERTY "ML-IM"
3. EXISTING USE OF PROPERTY "PAPER BAILING & SHREDDING CO."
4. OFF STREET PARKING DATA:
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 - B. REQUIRED 5 SPACES (1/3 EMPLOYEES)
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5. PUBLIC UTILITIES EXIST AT THE SITE.
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13. CONTRACTOR SHALL NOTIFY THE FOLLOWING UTILITIES AT LEAST 3 DAYS BEFORE BEGINNING WORK.
BELL TELEPHONE SYSTEM: 532-5000, EXT. 649
LONG DISTANCE CABLE DIVISION: 532-5000, EXT. 553-554
BALTIMORE G.F.E.: 532-6000, EXT. 601
14. CONTRACTOR SHALL RESTORE ALL DISTURBED PAVING, SIDEWALKS OR LAWNS AFFECTED BY THE CONSTRUCTION SHOWN HEREON TO A CONDITION COMPARABLE TO THAT PRIOR TO CONSTRUCTION.
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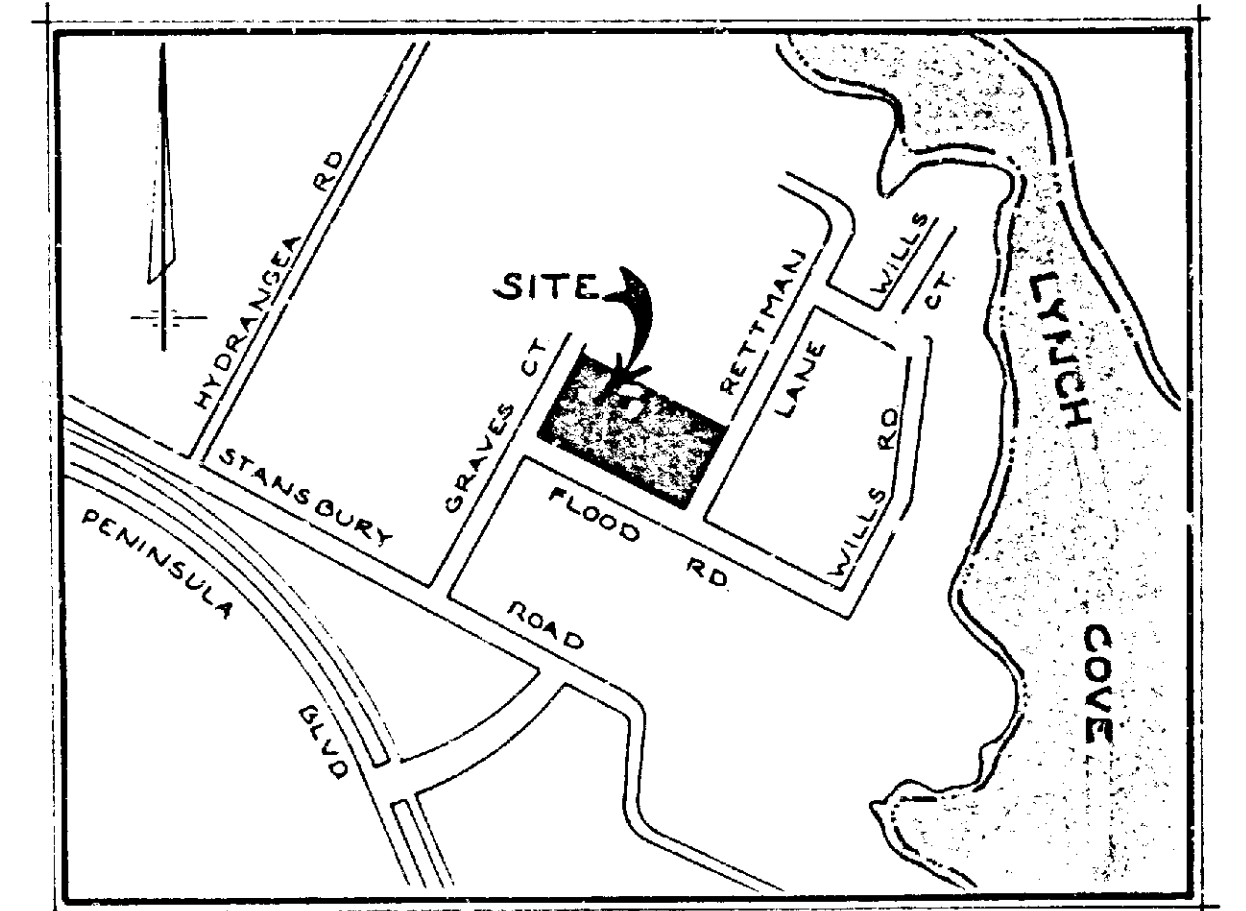
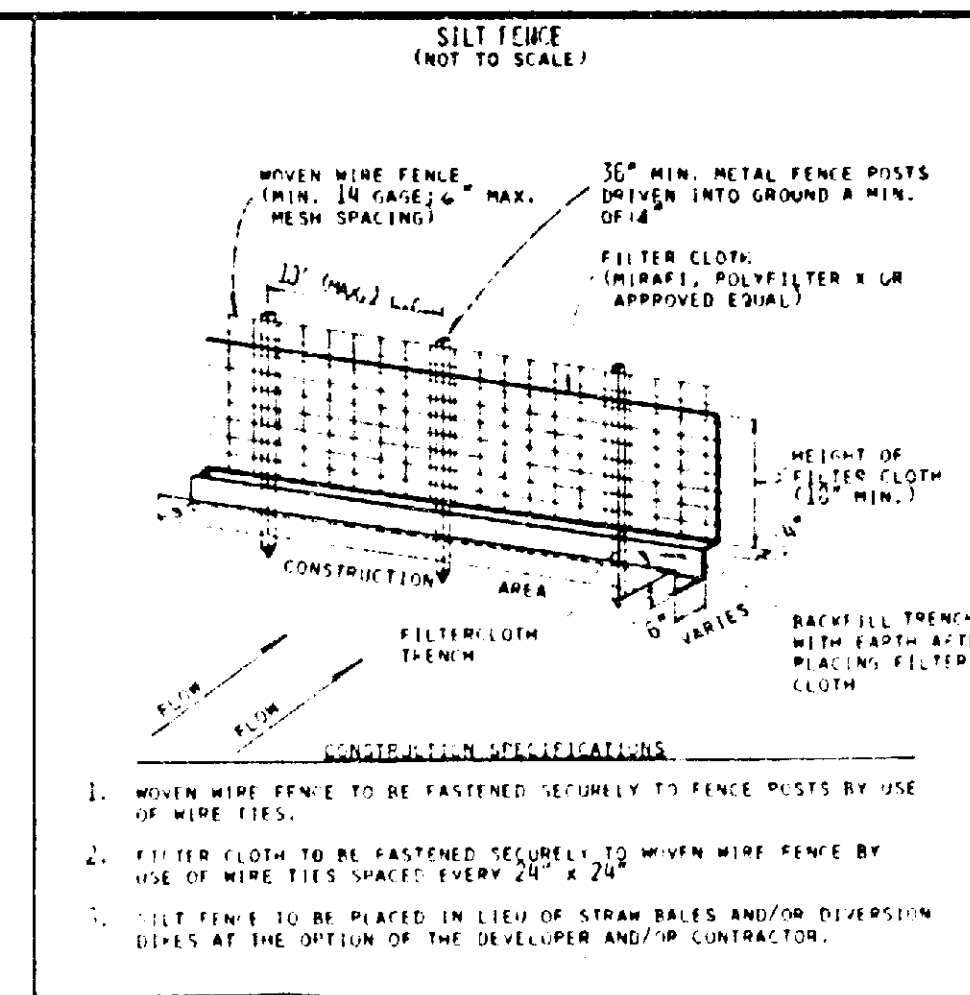


#177
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SEAL OF THE DISTRICT OF COLUMBIA
OFFICE OF THE COMMISSIONER OF THE DISTRICT OF COLUMBIA
RECEIVED
JAN 10 1900
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Shall be

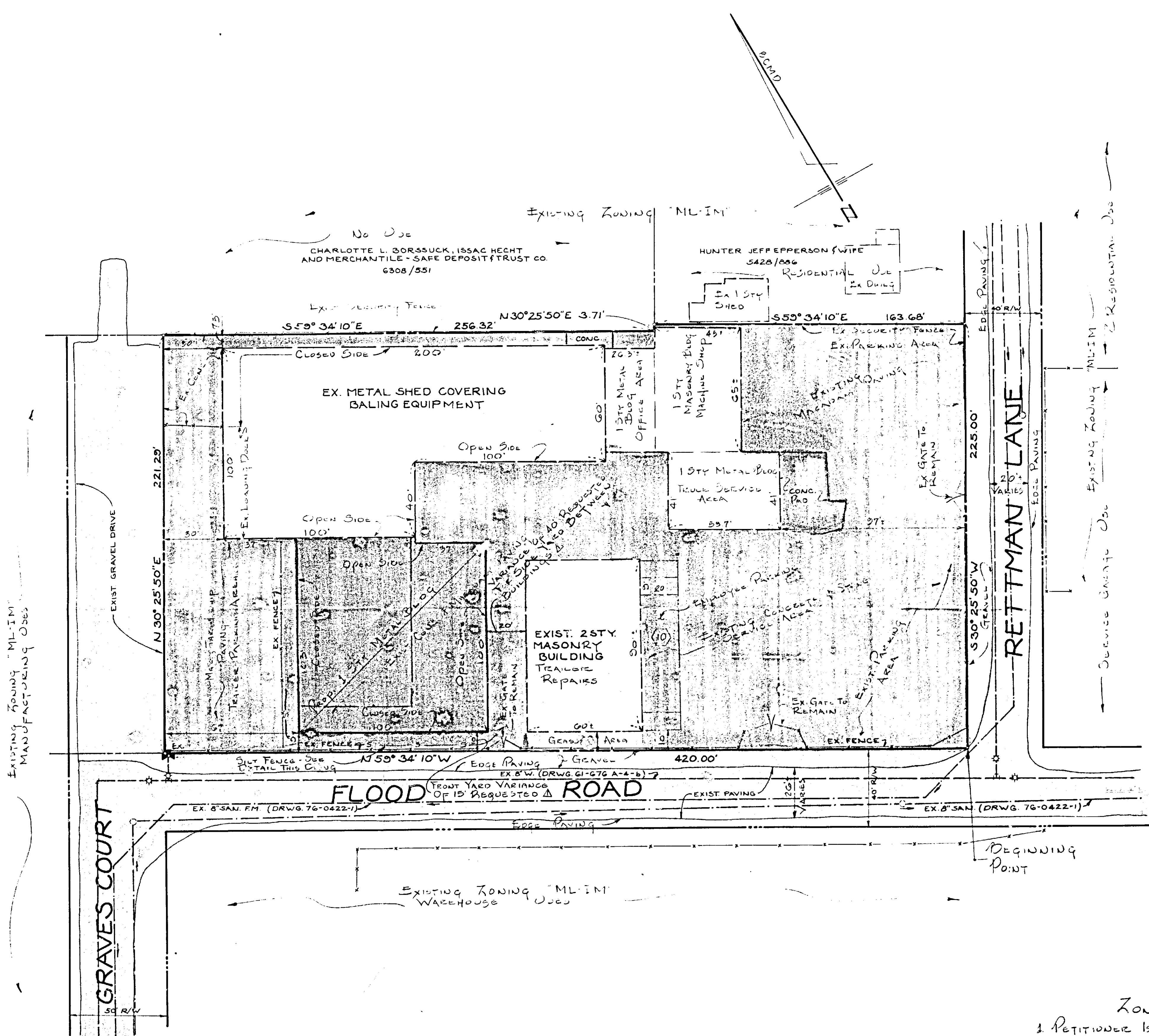
Drawing C-D Check RLS Design Check RLS	DATE 10/14/85	REVISIONS ADDED NOTE 17 & NOTES REQUESTING TIED VARIANCES A	KIDDE CONSULTANTS, INC. LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS 1020 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204, 301-321-5500	OWNER THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE, MARYLAND 21222 301-282-0066	ELECTION DISTRICT NO 12 COUNCILMANIC DISTRICT NO 7	SITE PLAN BUILDING ADDITION FOR THE OWL CORPORATION 1936 RETTMAN LANE BALTIMORE COUNTY, MARYLAND	SHEET 1 OF 1	DATE JUNE 1985	JOB NUMBER 82-137-C
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LOCATION MAP
SCALE: 1" = 500'

GENERAL NOTES

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 - LONG DISTANCE CABLE DIVISION: 530-0000, EXT. 533-5554
 - BALTIMORE G.F.E.: 530-8000, EXT. 601
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PETITIONER'S EXHIBIT N° 2

Drafting CD	DATE	REVISIONS
Check RLS	10/14/85	ADDED NOTE 17 & NOTES REQUESTING YARD VARIANCES
Design		
Check RLS		

KIDDE CONSULTANTS, INC.
LAND PLANNERS • ENGINEERS • LANDSCAPE ARCHITECTS
1020 CROMWELL BRIDGE ROAD, TOWSON, MARYLAND 21204. 301-321-5500

OWNER
THE OWL CORPORATION
1936 RETTMAN LANE
BALTIMORE, MARYLAND 21222
301-282-0000

ELECTION DISTRICT N° 12
COUNCILMANIC DISTRICT N° 7

SITE PLAN
BUILDING ADDITION FOR THE OWL CORPORATION
1936 RETTMAN LANE
BALTIMORE COUNTY, MARYLAND

SHEET	DATE	JOB NUMBER
1	JUNE 1985	92137-0
OF	SCALE	
1	1" = 30'	

